

ERIE COUNTY LEGISLATURE
MEETING NO. 14
JULY 28, 2016

The Legislature was called to order by Chair Mills.

All members present.

An Invocation was held, led by Ms. Miller-Williams, who led a short prayer.

The Pledge of Allegiance was led by Ms. Dixon.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. LORIGO moved for the approval of the minutes for Meeting Number 13 from 2016. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. MILLS presented a resolution Honoring Allen S. Young as the Recipient of the 2016 NYS Conservation District Employee's Association, Division I Merit Award.

Item 6 – MR. SAVAGE, MR. MILLS, MR. LORIGO, MR. LOUGHRAN, MS. GRANT & MR. BURKE presented a resolution Commemorating July 28, 2016 as Breastfeeding Awareness Day in Erie County.

MR. LORIGO moved for consideration of the above two items. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above two items by adding one miscellaneous resolution for MR. LORIGO, one miscellaneous resolution for MS. MILLER-WILLIAMS, and to include Et Al sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved for approval of the above four items as amended. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 7 – CHAIR MILLS directed that Local Law No. 3 (Print #1) 2016 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 8 – CHAIR MILLS directed that Local Law No. 4 (Print #2) 2016 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 9 – CHAIR MILLS directed that Local Law No. 5 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 10 – CHAIR MILLS directed that Local Law No. 6 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 11 – CHAIR MILLS directed that Local Law No. 7 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 12 – CHAIR MILLS directed that Local Law No. 8 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 13 – CHAIR MILLS directed that Local Law No. 10 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 14 – CHAIR MILLS directed that Local Law No. 11 (Print #1) 2016 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 15 – MS. DIXON presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 194

July 21, 2016	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 12
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ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 13E-36 (2016)
LORIGO & DIXON: "Letter to Commissioner of Health Regarding Status of Opioid/Heroin County Hotline"
(6-0)
 - b. COMM. 13D-14 (2016)
COMMISSIONER. DEPARTMENT OF HEALTH: "Letter to Legislators Regarding Status of Opioid/Heroin County Hotline"
(6-0)
2. COMM. 13E-27 (2016)
COUNTY EXECUTIVE
WHEREAS, insufficient funds exist to pay for fee-for-service pathologist services and to purchase testing supplies; and

WHEREAS, the Department of Health has analyzed its objects of expense and has determined that in that in Account 516020 Professional Svs Contracts & Fees expenditures will exceed appropriations by \$35,000; and

WHEREAS, the Department of Health has analyzed its objects of expense and has determined that in that in Account 505800 Medical & Health Supplies expenditures will exceed appropriations by \$20,000; and

WHEREAS, a transfer of funds must be made in order to fulfill our commitment to provide timely pathological examinations of the deceased and conduct toxicological testing; and

WHEREAS, sufficient funds are available in Account 41500 Medical Examiner's Fees from a new contract to provide pathology services for Genesee County to accommodate this request.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the following transactions within the accounts of the Department of Health:

Health Department
Medical Examiner's Division
Fund Center 12740

<u>REVENUE</u>		<u>BUDGET</u>
415000 Medical Examiners Fees		<u>\$55,000</u>
	Total	<u>\$55,000</u>
<u>EXPENSE</u>		
505800 Medical & Health Supplies		\$35,000
516020 Professional Svs Contracts & Fees		<u>\$20,000</u>
	Total	<u>\$55,000</u>

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make any required budgetary adjustments to implement the budgetary actions and appropriations authorized in this resolution; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law, and to the and to Dr. Gale R. Burstein, Commissioner in the Erie County Department of Health, 9th Floor, Rath Building.

(6-0)

3. COMM. 13E-28 (2016)

COUNTY EXECUTIVE

WHEREAS, decreasing the teen pregnancy rate in Erie County is an important public health objective; and

WHEREAS, children born to adolescents are more likely to have poorer educational, behavioral, and health outcomes throughout their lives; and

WHEREAS, teen childbearing costs taxpayers between \$9.4 and \$28 billion a year through public assistance payments, lost tax revenue, and greater expenditures for public health care, foster care, and criminal justice services; and

WHEREAS, evidence based strategies exist which have a demonstrable impact on reducing the teen pregnancy rate; and

WHEREAS, the Erie County Health Department in collaboration with the Erie County Teen Pregnancy Prevention Project has been awarded a grant from the U.S. Department of Health and Human Services via Cicitelli Associates, Inc. to implement a teen pregnancy reduction program; and

WHEREAS, this grant in the amount of \$93,226 requires no local funding match.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Department of Health is authorized to rollover the remaining grant award of \$25,244 from Ciacatelli and Associates from the 2015-2016 grant (127TPP1516) into 2016-2017; and

RESOLVED, that the Erie County Department of Health is authorized to receive a total grant award, including rollover, in the amount of \$118,450.00 to be budgeted as follows:

“Erie County Teen Pregnancy Prevention”
127TPP1617
7/1/16 - 6/30/17

SAP	REVENUE	BUDGET
479100	Other Contributions	<u>\$118,450.00</u>
	Total	<u>\$118,450.00</u>
	EXPENSES	
500000	Full Time Salaries	\$ 65,533.00
501000	Overtime	\$ 1,692.00
502000	Fringe Benefits	\$ 43,907.00
505000	Office Supplies	\$ 524.00
510000	Local Mileage	\$ 420.00
510100	Out of Are Travel	\$ 1,800.00
510200	Training and Education	\$ 500.00
530000	Other	\$ 800.00
980000	ID DISS Services	<u>\$ 3,274.00</u>
	Total	<u>\$118,450.00</u>

and be further

RESOLVED, that the Erie County Executive is hereby authorized to enter into subcontract with Ciacatelli Associates, Inc. (“CAI”) for provision of “Replicating Evidence-based Teen Pregnancy Prevention Programs to Scale in Communities with Greatest Need”; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues, including contractual agency amounts, based on grantor requirement or county share adjustments, provided there are no changes to authorized personnel levels, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law and to Dr. Gale R. Burstein, Commissioner in the Erie County Health Department, 9th Floor, Rath Building.
(6-0)

4. **COMM. 13E-29 (2016)**
COUNTY EXECUTIVE

WHEREAS, state, federal and private grants can provide significant additional resources to supplement public health spending in Erie County; and

WHEREAS, the Erie County Department of Health-Health Division is constantly on the look-out for funding opportunities to enhance the public health services and programs that it provides to Erie County Residents; and

WHEREAS, examples of successful grant programs include the Cancer Services Program, HIV Prevention Services and Expanded Syringe Access and Disposal Project; and

WHEREAS, the necessary expertise and staffing is not always available within the Department of Health to prepare these sometimes two-hundred plus page documents; and

WHEREAS, the Erie County Department of Health has solicited and received positive feedback from peer counties on the use of fee-for-service grant writers; and

WHEREAS, the below named grant writers have been recommended by the other county health departments and the American Academy of Pediatrics.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with Persuasive Pen®; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with Buffalo Grant Works LLC and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with Renee Cadzow, Ph.D; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law, and to Dr. Gale R. Burstein, Commissioner of Health.
(6-0)

5. **COMM. 13E-30 (2016)**
COUNTY EXECUTIVE

WHEREAS, the Division of Public Health Laboratories is responsible for providing laboratory support for regional public health and environmental activities; and

WHEREAS, the Public Health Laboratory provides analysis of potable water, non-potable water and environmental samples for harmful chemical, bacteriological and toxicological agents to several local municipalities, private agencies and citizens as well as to neighboring counties; and

WHEREAS, as a member of the Laboratory Response Network the laboratory provides high complexity emergency preparedness testing for biological agents associate with bioterrorism as well as emerging and re-emerging infection agents that may be significant in public health outbreaks and pandemic disease; and

WHEREAS, the Public Health Laboratory is undergoing a multi-year effort to expand its testing capabilities to better serve the public health testing needs of Western New York; and

WHEREAS, periodic restructuring of the Division of the Public Health Laboratory allows the Division to provide the best programmatic services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one regular part time position of Chief Laboratory Technologist (Public Health), JG-9, Step C (\$31,789 annual salary) in the CSEA bargaining unit (B-100 #8707); and be it further

RESOLVED, that the Division of Budget and Management shall delete the full time position of Laboratory Assistant, JG-5, Step 1 (\$30,102 annual salary) in the CSEA bargaining unit (B-100 #8707); and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Department of Personnel, the Division of Budget and Management, and to Commissioner Gale R. Burstein in the Erie County Department of Health.
(6-0)

6. COMM. 13E-31 (2016)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental and behavioral health services for the residents of Erie County; and

WHEREAS, the Erie County Department of Mental Health has been awarded additional funding by the New York State Office of Mental Health (NYSOMH) as part of an initiative to support the development/enhancement of evidence-based systems of care for individuals with mental illness involved in the local corrections system; and

WHEREAS, the ECDMH has identified both its internal Forensic Clinics division and The Research Foundation for SUNY as the recipients of additional funding to support efforts to coordinate and strengthen the response to individuals with mental illness involved in the local corrections system; and

WHEREAS, the Department of Mental Health requires legislative approval to accept the State funds and to both increase the Forensic Clinics division budget and amend the contract with The Research Foundation for SUNY; and

WHEREAS, no County funds will be necessary for Erie County to accept this state aid to serve members of this critical population residing in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to accept New York State funds for the development/enhancement of evidence-based systems of care by amending the agency contract of The Research Foundation for SUNY, and by authorizing

the Division of Budget and Management to process budgetary adjustments for the Mental Health Forensic Clinics division as follows:

2016 BUDGET – Forensic Mental Health, Business Area 124
Cost Center 12420, Fund 110

Revenue	Increase
Account 406810 – Forensic State Aid	\$14,590
Appropriation	Increase
Account 510100 – Out of Area Travel	\$5,000
Account 561410 – Lab & Tech Equipment	3,500
Account 561420 – Office Eqpt, Furn & Fixtures	<u>6,090</u>
Total Appropriation	\$14,590

and be it further

RESOLVED that to the extent this subcontract may constitute a professional, technical or other consultant service, the County Administrative Code requirement in Section 19.08 for a Request for Proposal (RFP) is hereby waived, as this Honorable Body has previously approved of the County's entering into contract with The Research Foundation for SUNY for this program; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by changes to the grantor award, provided there are no changes to county share amounts; and be it further

RESOLVED, that certified copies of this resolution be furnished to the Office of the County Executive, the Department of Mental Health, the Office of the Comptroller, and the Division of Budget and Management.
(6-0)

7. COMM. 13E-32 (2016)
COUNTY EXECUTIVE

WHEREAS, the Youth Services Division wishes to enhance and expand existing mental health services at the Detention Facility which are currently provided by the University Psychiatric Practice Inc. through a contract with the Department of Mental Health; and

WHEREAS, early identification and treatment of mental health disorders in the juvenile population is critical to help youth stabilize and begin treatment that will have a positive impact on their lives and serve to help them become responsible adults in the community; and

WHEREAS, the contract will improve staff training and develop standard operating procedures, such as new intake and admission assessment methods, new risk assessment techniques, and new treatment plans; and

WHEREAS, enhancing services will also serve to address the mental health needs of the anticipated 16 and 17 year olds that will be added to the detention population based on the New York State Raise the Age initiative; and

WHEREAS, the Youth Services Division will be able to utilize State reimbursement and available balances within their 2016 Budget to fund this request.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to amend the current contract with University Psychiatric Practice Inc. in the amount of \$110,000 for the enhancement of mental health services at the Youth Detention Facility starting July 1, 2016, and be it further

RESOLVED, that the following Budget adjustments are hereby authorized:

2016 Budget	
Department of Mental Health - Fund Center 12410	
Expense	Increase/(Decrease)
Account 517845 University Psych Practice	\$ 110,000
Account 912400 ID Billing DMH	<u>(110,000)</u>
Total	\$ 0

Division of Youth Services - Fund Center 12520

Revenue	
Account 407610 State Aid - Secure Local	\$ 53,900
Expense	
Account 516020 Professional Services	\$ (56,100)
Account 912400 ID Billing DMH	<u>110,000</u>
Total Expense	\$ 53,900
Net (Revenue less Expense)	\$ 0

and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, the Division of Budget and Management, the Office of the Comptroller, the Department of Social Services, the Department of Mental Health and the Division of Youth Services.

(6-0)

8. COMM. 13E-33 (2016)
COUNTY EXECUTIVE

WHEREAS, the Department of Senior Services Four Year Plan with the New York State Office for Aging identified the need to expand outreach and public education to refugee and immigrant communities; and

WHEREAS, the Department of Senior Services issued a RFP to select agencies to provide outreach and public education related programs and entitlements offered or coordinated by the Department; and

WHEREAS, three not for profit human service agencies serving traditionally underserved populations in Erie County; ACCESS of WNY Inc (ACCESS WNY), Jericho Road Ministries, Inc dba Jericho Road Community Health Center (Jericho Road), and Healthy Community Alliance. Inc were selected through the RFP process; and

WHEREAS, the Department of Senior Services desires to contract with ACCESS WNY, Jericho Road, and Healthy Community Alliance, Inc. at a cost not to exceed \$10,000 each to provide outreach and public education to target populations during the period July 1, 2016 through March 31, 2017; and

WHEREAS, appropriations are available in the 163CSE1617 grant's Professional Services Contracts and Fees Account #516020 to pay for these consulting services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to contract with ACCESS WNY, Jericho Road, and Healthy Community Alliance, Inc. at a cost not to exceed \$10,000 each to provide outreach and public education services for the Department of Senior Services during the period July 1, 2016 through March 31, 2017, and be it further

RESOLVED, that existing appropriations in the 163CSE1617 grant account #516020 be utilized to pay for these consulting services, and be it further

RESOLVED, and if necessary the County Executive is hereby authorized to execute amendments to the three agency contracts to effectuate adjusted funding levels; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget and Management, the Comptroller's Office, and the Department of Senior Services.

(6-0)

9. COMM. 13E-34 (2016)

COUNTY EXECUTIVE

WHEREAS, the Department of Social Services has issued an annual Request for Proposals (RFP), selected providers for its Employee Education and Training Program pursuant to Section 19.08 of the Erie County Administrative Code, and has the responses, evaluation and selection material available; and

WHEREAS, these contracts will enable employees of the Department of Social Services to upgrade their professional knowledge and skills thereby benefiting departmental operations; and

WHEREAS, the Department of Social Services must have Legislative approval to renew Employee Education and Training Program contracts.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive and/or the Commissioner of Social Services are hereby authorized to renew the Employee Education and Training Program contracts to New York State mandated State University of New York (SUNY) institutions for the period of 9/1/16-8/31/2017, as specified below:

Educational Institution	Gross Contract	Institution's Contribution	Amount to be Paid
Empire State College (Bachelor's/Associates Degrees in Business/Community and Human Services)	\$471,556.0 0	\$169,760. 00	\$301,796.0 0
Empire State College (In-Service Training and Organizational Development)	\$1,130,077. 00	\$339,023. 00	\$791,054.0 0
SUNYAB – School of Social Work (Masters in Social Work)	\$264,644.0 0	\$92,625.0 0	\$172,019.0 0
Buffalo State College (CDHS) (Bachelor's in Business/Social Work; Masters in Human Services Admin.)	\$429,104.0 0	\$154,477. 00	\$274,627.0 0
TOTAL FUNDS:	\$2,295,381. 00	\$755,885. 00	\$1,539,496. 00

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Commissioner of Social Services, the Erie County Comptroller, and the Director of the Division of Budget and Management.

(6-0)

10. COMM. 13E-35 (2016)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, Erie County child protective services (“CPS”) investigates reports alleging child abuse or neglect; and

WHEREAS, Buffalo Public Schools is the single biggest source of allegations of child abuse and neglect which are investigated by CPS; and

WHEREAS, Buffalo Public Schools wants a CPS worker assigned to one of its schools; and

WHEREAS, the Department of Social Services has agreed to provide a CPS worker if Buffalo Public Schools pays the local share costs of the employee; and

WHEREAS, the 2016 cost of adding a new Senior Child Protective Worker effective September 1, 2016, will be \$53,403; and

WHEREAS, the local share cost of \$28,304 will be reimbursed by the Buffalo Public School System and the balance reimbursed through State funding.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is hereby authorized to contract with Buffalo Public Schools to allow the Department of Social Services to accept funds for providing a Senior Child Protective Worker in a school; and be it further

RESOLVED, that the Erie County Legislature does hereby approve the creation of a Senior Child Protective Worker JG-10 (B100 #8713) in the 2016 Budget of the Department of Social Services in Fund Center 120, Cost Center 1208030, to be effective September 1, 2016; and be it further

RESOLVED, that the Commissioner of Personnel, Director of Budget and Management and Commissioner of Social Services are hereby authorized to make the necessary budgetary and personnel adjustments necessary to facilitate this resolution; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of Social Services, the Erie County Comptroller, the Director of the Division of Budget and Management, and the Commissioner of Personnel.

(6-0)

11. COMM. 13E-47 (2016)

COUNTY EXECUTIVE

WHEREAS, the Department of Senior Services, applied in June 2015, to the New York State Department of Transportation (NYSDOT) for Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities federal grant funding for the operation of the Department's Going Places Transportation Program; and

WHEREAS, the Going Places program provides older adults, who have no other means of transportation, with rides to medical appointments, grocery shopping, and senior centers for congregate meals, with the Department of Senior Services performing the central dispatch function for the program in partnership with Erie County municipalities and subcontracted transportation service providers; and

WHEREAS, NYSDOT has recently awarded the Department Section 5310 Enhanced Mobility Grant funding under three categories:

- 1) Vehicle Purchases - \$78,699 to cover 80% of the purchase price of two replacement mini buses.
- 2) Mobility Management - \$167,874 to reimburse 26% of the Department's transportation dispatch unit's payroll costs.
- 3) Operating Assistance - \$289,320 to reimburse, up to 50% of the costs of Going Places' wheelchair and other rides, including a new pilot initiative to provide rides for seniors with serious mental illness and who are enrolled in Project Hope, a Catholic Charities of Buffalo, NY program operated in collaboration with the Erie County Department of Mental Health; and

WHEREAS, the mobility management and operating assistance grant is for the three year period October 30, 2015 to October 29, 2018, while the vehicle funds are for the period October 30, 2015 through December 31, 2021, which covers their expected useful life; and

WHEREAS NYSDOT will retain the \$78,699 awarded for the vehicles and use the monies to purchase the two mini-buses for the Department of Senior Services through a NY State Office of General Services purchasing contract; and

WHEREAS NYSDOT requires the Department of Senior Services to enter into a Local Funding and Depository Agreement to open an interest bearing account at U.S. Bank National Association and deposit \$22,626 into the account which represents the required 20% local share of the two mini-buses plus a 15% contingency amount to cover possible price increases; and

WHEREAS NYSDOT will withdraw the monies from the bank account to cover the actual 20% local share cost, with unused monies remaining in the account to be returned to the Department of Senior Services once the buses are delivered; and

WHEREAS the Department of Senior Services proposes to use 2016 capital funds from the approved 2016 Purchase of Replacement Vans, capital project #A.16033 to fund the 20% local share of the two mini-buses; and

WHEREAS, no additional County funds are required to secure this new grant funding as the Department has identified transportation appropriations in the Areawide Agency on Aging (Title III-B), and New York State AAA Transportation Program (AAATRAN), and Community Services for the Elderly (CSE) grants that will provide the required local match for the mobility management and operating assistance funding; and

WHEREAS, the Department desires to contract with Catholic Charities of Buffalo, NY for the period August 1, 2016 through October 29, 2018, at a cost not to exceed \$80,640, so as to provide funding to pay for rides for seniors enrolled in Project Hope, a Catholic Charities program operated in collaboration with the Erie County Department of Mental Health, which assists seniors with serious mental illness; and

WHEREAS, the new 5310 Enhanced Mobility grant will fund 50% of the Catholic Charities contract over the August 1, 2016 through October 29, 2018 period, with the Department's III-B2016 grant funding the other half of the 2016 portion, and future Departmental grants funding the remaining 2017 and 2018 portions; and

WHEREAS, the 163III-B2016 grant budget needs to be amended since the new 5310 Enhanced Mobility grant will now cover a portion of the Department's 2016 dispatcher payroll costs, thereby freeing up appropriations in the 163III-B2016 grant which are currently budgeted for those same costs.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to contract with the NYSDOT to accept the Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities grant funding for the mobility management and operating assistance for the three year period

October 30, 2015 to October 29, 2018, and for the Capital Vehicle Purchase for the October 30, 2015 to December 31, 2021 period; and be it further

RESOLVED, that to acquire the two mini-buses the County is authorized to enter into the NYSDOT Local Funding and Depository Agreement, open the required account at U.S. Bank National Association and issue a check for the required local share of \$22,626 payable to the U.S. Bank National Association for deposit into the bank account; and be it further

RESOLVED, that the Department is authorized to pay the required 20% local match for the two mini buses from the approved 2016 Replacement Vans, capital project #A.16033, and that the capital project budget be amended to reflect the federal monies that NYSDOT will use to pay 80% of the purchase price of the vehicles as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
REVENUES				
Account	Description			
414010	Federal Aid Other	0	+\$78,699	\$78,699
APPROPRIATIONS				
Capital projects	Capital Project Expense	\$63,500	+\$78,699	\$142,199

and be it further

RESOLVED, that the County Executive is authorized to contract with Catholic Charities of Buffalo, NY, for the period August 1, 2016 through October 29, 2018, at a cost not to exceed \$80,640 to provide monies for rides for seniors enrolled in the Project Hope program; and be it further

RESOLVED, that the budget for the 5310 Enhanced Mobility Grant for the period October 30, 2015 to October 29, 2018 (163EMOBLTY1518) be established as follows:

REVENUES		INITIAL
		BUDGET
Account	Description	
414000	Federal Aid	\$457,194
	TOTAL REVENUE	<u>\$457,194</u>

APPROPRIATIONS		INITIAL
		BUDGET
Account	Description	
516020	Professional Services & Fees	\$249,000
517540	Catholic Charities	\$ 40,320
916390	ID Senior Services Grant Services	<u>\$167,874</u>
	TOTAL APPROPRIATIONS	<u>\$457,194</u>

and be it further

RESOLVED, that the III-B2016 grant budget be amended as follows:

		CURRENT BUDGET	CHANGE	AMENDED BUDGET
APPROPRIATIONS				
Account	Description			
517540	Catholic Charities	\$ 45,700	+7,467	\$53,167
916390	ID Senior Services Grants	\$ -18,133	- 7,467	\$-25,600
	TOTAL APPROPRIATIONS	<u>\$ 27,567</u>	<u>-0-</u>	<u>27,567</u>

and be it further

RESOLVED, that, the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by changes to grantor awards; and be it further

RESOLVED and, if necessary, the County Executive is hereby authorized to execute amendments to the contracts with Catholic Charities of Buffalo, NY to effectuate adjusted funding levels; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget and Management, the Comptroller's Office, and the Department Senior Services.

(6-0)

LYNNE M. DIXON
CHAIR

Item 16 – MS. DIXON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 195

July 21, 2016	MINORITY & WOMEN BUSINESS ENTERPRISE COMMITTEE REPORT NO. 1
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 13E-37 (2016)

DIXON: “Letter to Commissioner of Public Works Regarding MWBE Bid Practices”
(6-0)

b. COMM. 13E-38 (2016)

DIXON: “Letter to Director of the Commission of the Status on Women Regarding the Work of the Commission”
(6-0)

LYNNE M. DIXON
CHAIR

Item 17 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. MORTON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 196

July 21, 2016	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 10
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ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:

a. INTRO. 3-1 (2016)

MILLS: “Reverse Preemption of Local Law No.3 (2015)”
(6-0)

b. COMM. 7E-24 (2016)

MILLER-WILLIAMS: “Documents Regarding Sherman L. Walker Community Center, Buffalo”
(6-0)

c. COMM. 10M-1 (2016)

EC CHARTER REVISION COMMISSION: “Recommendations to Revise the Erie County Charter”
(6-0)

d. COMM. 13D-12 (2016)

COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”
(6-0)

e. COMM. 13D-13 (2016)

COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”
(6-0)

2. COMM. 13E-26 (2016)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Personnel was offered a donation of 23 office chairs and one large conference table from the Labor Management Health Fund; and

WHEREAS, Erie County Department of Personnel wishes to accept said donation.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Department Personnel is authorized to accept the donation of 23 office chairs and one large conference table from the Labor Management Health Fund; and be it further

RESOLVED, that certified copies of this Resolution be sent to the Erie County Executive, the Commissioner of Personnel, the Division of Purchase and the Erie County Department of Law.
(6-0)

3. COMM. 13E-46 (2016)
COUNTY EXECUTIVE

WHEREAS, the Department of Personnel was allocated funds in their 2016 budget to facilitate the professional education and training of employees; and

WHEREAS, the Department of Personal wishes to engage vendors to provide professional services including various supervisory and management training and DiSC assessment workshops to improve productivity, teamwork and communication and enhance supervisory/leadership practices.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into a contracts with Developing Professionals and the Illuminare Group for the provision of management and supervisory training and/or DiSC personal assessment workshops; and be it further

RESOLVED, that funding for the retention of these vendors is available and may be appropriated within the Department of Personnel, Fund Center 161, Account 510200 (Education and Training); and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Personnel, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management,, the Office of the Comptroller, and the Department of Law.
(6-0)

KEVIN R. HARDWICK
CHAIR

Item 18 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 197

July 21, 2016	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 12
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ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 10M-3 (2016)
ASSEMBLYMAN MICHAEL P. KEARNS: “Bank Shame Campaign Accountability Report”
(Chair’s Motion)
 - b. COMM 12E-20 (2016)
Mills: “Letter to County Executive Regarding Appointment of Executive Director of the Commission on the Status of Women”
(Chair’s Motion)
 - c. COMM. 13D-10 (2016)
DEPARTMENT OF BUDGET & MANAGEMENT: “Budget Monitoring Report for Period Ending May 2016”
(Chair’s Motion)
 - d. COMM. 13D-11 (2016)
REAL PROPERTY TAX SERVICES: “2016 Annual Report”
(Chair’s Motion)
 - e. COMM. 13M-11 (2016)
ERIE COUNTY FISCAL STABILITY AUTHORITY: “Resolution Approving the 2015 ECFSA Annual Financial Audit”
(Chair’s Motion)
2. COMM. 1D-9 (2016)
EC REAL PROPERTY TAX SERVICES AS AMENDED
WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556; and

WHEREAS, the Director has investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 216111 through 216119, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities.

FISCAL YEAR	2015	Petition No.	216,111.00
	ASSESSOR	Refund	\$258.20
S-B-L	82.11-1-24	8675 Sunset Dr 143200 CLARENCE	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$258.20 Town/SpecialDist/School
<u>Charge To :</u>	143200 CLARENCE		\$258.20
	Relevy School	\$258.20	143201 CLARENCE CENTRAL

RPTL550(2): Failed to apply veterans exemption
Refund to be issued to David H. And Phyllis A. Brown

FISCAL YEAR	2016	Petition No.	216,112.00
	ASSESSOR	Refund	\$21.93
S-B-L	82.11-1-24	8675 Sunset Dr 143200 CLARENCE	
	Acct. No. 112		\$5.56 County
	Acct. No. 132		\$16.37 Town/SpecialDist/School
<u>Charge To :</u>	143200 CLARENCE		\$16.37

RPTL550(2): Failed to apply veterans exemption
Refund to be issued to David H. And Phyllis A. Brown

FISCAL YEAR	2015	Petition No.	216,113.00
	ASSESSOR	Refund	\$919.00
S-B-L	72.11-1-8	4920 Academy St 143200 CLARENCE	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$919.00 Town/SpecialDist/School
<u>Charge To :</u>	143200 CLARENCE		\$919.00
	Relevy School	\$919.00	143201 CLARENCE

CENTRAL

RPTL550(2): Failed to apply enhanced STAR exemption
Refund to be issued to James W. Laczowski

FISCAL YEAR	2015	Petition No.	216,114.00
	ASSESSOR	Refund	\$466.00

S-B-L 17.00-1-16.1 7920 Northfield Rd 143200 CLARENCE

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$466.00	Town/SpecialDist/School
<u>Charge To :</u>	143200 CLARENCE		\$466.00
	Relevy School	\$466.00	143201 CLARENCE

CENTRAL

RPTL550(2): Failed to apply enhanced STAR exemption
Refund to be issued to Lee J. Fischer

FISCAL YEAR 2016 Petition No. 216,115.00

 ASSESSOR Cancel \$400.00
S-B-L 235.20-2-2 55 York St 144401 ANGOLA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$400.00	Town/SpecialDist/School
<u>Charge To :</u>	144401 ANGOLA		\$400.00
	Relevy Village	\$400.00	Village of ANGOLA

RPTL550(2): Incorrect maintenance charge
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,116.00

 ASSESSOR Cancel \$45.31
S-B-L 335.16-1-37 22 Factory 143801 SPRINGVILLE

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$45.31	Town/SpecialDist/School
<u>Charge To :</u>	143801 SPRINGVILLE		\$45.31
	Relevy Village	\$45.31	Village of SPRINGVILLE

RPTL550(2): Failed to apply exemption - village owned
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,117.00

 ASSESSOR Cancel \$72.15
S-B-L 335.16-1-38 Factory 143801 SPRINGVILLE

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$72.15	Town/SpecialDist/School
<u>Charge To :</u>	143801 SPRINGVILLE		\$72.15
	Relevy Village	\$72.15	Village of SPRINGVILLE

RPTL550(2): Failed to apply exemption - village owned

New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,118.00

 ASSESSOR Cancel \$1,070.56
S-B-L 335.16-1-39 51 Franklin St 143801 SPRINGVILLE

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$1,070.56 Town/SpecialDist/School
Charge To : 143801 SPRINGVILLE \$1,070.56

 Relevy Village \$1,070.56 Village of SPRINGVILLE
RPTL550(2): Failed to apply exemption - village owned
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,119.00

 ASSESSOR Cancel \$102.36
S-B-L 335.16-1-40 53 Franklin St 143801 SPRINGVILLE

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$102.36 Town/SpecialDist/School
Charge To : 143801 SPRINGVILLE \$102.36

 Relevy Village \$102.36 Village of SPRINGVILLE

RPTL550(2): Failed to apply exemption - village owned
New tax bill to be issued and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.
(6-0)

3. **COMM. 13E-21 (2016)**
 COUNTY EXECUTIVE

WHEREAS, it is the mission of the Buffalo Erie Niagara Land Improvement Corporation to confront and alleviate the problems distressed properties cause to communities by supporting municipal and regional revitalization efforts and strategically acquiring, improving, assembling, and selling distressed, vacant, abandoned, and/or tax-delinquent properties; and

WHEREAS, section 1616(i) of the New York Not-for-Profit Corporation Law provides that New York Land banks, including the Buffalo Erie Niagara Land Improvement Corporation, may tender a preemptive bid at In Rem tax sales in an amount equal to the total amount of all municipal claims and liens which were the basis for the judgment and in the event of such tender by a land bank, the property shall be deemed sold to the land bank regardless of any bids by any other third parties; and

WHEREAS, the bid of the land bank shall be paid as to its form, substance, and timing according to such agreement as is mutually acceptable to the plaintiff and the land bank wherein the obligation of the land bank to perform in accordance with such agreement shall be deemed to be in full satisfaction of the municipal claim which was the basis for the judgment.

WHEREAS, it is anticipated that the Buffalo Erie Niagara Land Improvement Corporation will exercise its preemptive bid powers at the upcoming County In Rem 163 tax sale; and

WHEREAS, agreements between the County and the Buffalo Erie Niagara Land Improvement Corporation are necessary to outline the obligations of the land bank and the expected repayment, if any, of the County taxes which were the basis for the judgment.

NOW, THEREFORE, BE IT

RESOLVED, that the County, through its Director of Real Property Tax Services, is hereby authorized to enter into agreements with the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) which outline the obligations of the land bank and the expected repayment, if any, of the County taxes which were the basis for the judgment consistent with the Property Tax and Maintenance/Foreclosure Cost Recapture Policy for In Rem 164 to be held on October 13, 2016; and be it further

RESOLVED, that to the extent that such agreement results in the repayment of County taxes in the amount less than the amount of County taxes which were the basis for the judgment, pursuant to Section 12-1.0 of the Erie County Tax Act the Director of Real Property Tax Services is hereby authorized to cancel such past due real property taxes; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, Erie County Comptroller, County Attorney, Director of Real Property Tax Services and the Buffalo Erie Niagara Land Improvement Corporation.
(6-0)

4. **COMM. 13E-22 (2016)**
COUNTY EXECUTIVE

WHEREAS, the several non-city school districts lying within the County of Erie have adopted their school budgets for the current school year, determined the amount thereof to be raised by real property tax and will have fixed their school tax rates, said budgets, amounts and rates to be certified to and filed with the Real Property Tax Services Department of Erie County, no later than August 10, 2016; and

WHEREAS, the Director of the Erie County Department of Real Property Tax Services will spread and extend said school tax amounts, at the school tax rates certified to him, against the taxable real property appearing on the respective school assessment rolls.

NOW, THEREFORE, BE IT

RESOLVED, that there is hereby levied and assessed upon the taxable real property appearing on the school assessment rolls for the respective school districts the amounts to be raised by school taxes, as spread and extended by the Director of the Erie County Department of Real

Property Tax Services, which amounts shall be collected from the persons and corporations liable therefore in accordance with and pursuant to the provisions of the statutes in such cases made and provided; and be it further

RESOLVED, that the Chairman of the Legislature and the Clerk of the Legislature are hereby directed to execute in the name and under the seal of the County of Erie, and to annex to the respective school district tax rolls as they are compiled by the Director of the Erie County Department of Real Property Tax Services, a good and sufficient warrant, addressed to the proper tax collecting officials, commanding them to collect such school district taxes in accordance with applicable law; and be it further

RESOLVED, that the Director of the Erie County Department of Real Property Tax Services is hereby directed to deliver such school district tax rolls and warrants to such tax collecting officials to be acted upon in accordance with applicable law; and be it further

RESOLVED, the Clerk of the Legislature is hereby directed to cause such non-city school district budgets, tax rates and resolutions to be printed in the journal of the proceedings of the Legislature; and be it further

RESOLVED that certified copies of this resolution be forwarded to the County Executive, County Attorney, County Comptroller, Director of Budget and Management, and Director of Real Property Tax Services.

(6-0)

5. COMM. 13E-23 (2016)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works and Division of Budget and Management have been reviewing capital projects and have identified a number of projects where work has been completed and are ready to wholly or partially close; and

WHEREAS, this Honorable Body approved of the closure of six dormant capital accounts in the 2016 Budget of which four received additional, unbudgeted federal/state revenue which was not accounted for, and two accounts had data transposed in the wrong column in the adopted 2016 Budget, thus necessitating a technical correction.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to accept indicated federal/state aid in the following capital accounts and to then close these accounts as designated in the 2016 Budget Resolutions:

B.00174 – 2007 Maple at Flint Construction
\$26,740 in additional Marchiselli aid and \$147,600.34 in federal road aid

B.00042 – 2002 Wehrle/Harris Hill Intersection Design
\$2,110.10 – state aid-other and 2,608.24 in federal road aid

B.00206 – 2008 Freeman Road Road Bridge Design

\$22,792.50 in Marchiselli aid and \$121,560 in federal road aid

B.20911 – 2009 East Robinson/North French Design Only
\$76,892.52 in Marchiselli aid and \$409,927.04 in federal road aid

; and be it further

RESOLVED, that the following adjustments to the 2016 Budget Resolution concerning dormant capital accounts are hereby made:

A.00018 – 2000 Courthouse Renovation – move \$120,000.34 from the “available 2015 column” to the “for 2016 debt” column

A.00091 – 2003 Upgrade of Voice Network– move \$158,230.98 from the “available 2015 column” to the “for 2016 debt” column

; and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management and the Comptroller’s Office to make any and all budgetary and financial entries required to implement these adjustments; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, County Comptroller, Director of Budget and Management, County Attorney and Commissioner of Public Works.

(6-0)

JOSEPH C. LORIGO
CHAIR

Item 19 – MR. MORTON presented the following report and moved for immediate consideration and approval. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 198

July 21, 2016	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 13
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 13E-17 (2016)
COUNTY EXECUTIVE

WHEREAS, The Erie County Department of Environment and Planning (DEP) has played a crucial role in water quality issues throughout the region for decades and continues to administer many initiatives that protect and preserve our natural water resources; and

WHEREAS, DEP is committed to coordinate, oversee, and support work towards the delisting of the Buffalo River as a Great Lakes Area of Concern; and

WHEREAS, the United States Environmental Protection Agency (USEPA) Great Lakes Restoration Initiative provides grant assistance to municipalities to implement projects to improve the quality of the Great Lakes; and

WHEREAS, DEP provides technical assistance regarding the management of the Erie County Natural Habitat Parks; and

WHEREAS, the USEPA approached DEP to apply for the USEPA's Great Lakes Restoration Initiative funding for continuing local coordination of the Buffalo River Remedial Action Plan and implementing habitat restoration projects; and

WHEREAS, Buffalo Niagara Riverkeeper through their past experience successfully managing and coordinating the Buffalo River Remedial Action Plan (RAP) was identified in the USEPA approved work plan as a specific sub-contractor to Erie County to provide these services; and

WHEREAS, United States Environmental Protection Agency (USEPA) awarded Erie County a Great Lakes Restoration Initiative of \$1,948,464.00 to complete a three-year "Buffalo River RAP Project Management: Bailey/Smith Habitat Restoration Delisting Project"; and

WHEREAS, on September 26, 2013 the Erie County Legislature approved a resolution to execute a grant contract with the USEPA, the adoption of a grant budget; the creation of an Environmental Compliance Specialist (JG-9) position within the DEP which is 100% grant funded; and the execution of a contract with Buffalo Niagara Riverkeeper; and

WHEREAS, the USEPA has approved a no-cost extension to continue this work through December 2017;

WHEREAS, the USEPA has approved the budget revision including the promotion of the existing 100% grant-funded project manager, an Environmental Compliance Specialist (JG-9), to a Senior Environmental Compliance Specialist (JG-12) position to manage the work on the habitat sites, as well as fund contractual work with Buffalo Niagara Riverkeeper to continue their management of the Buffalo River RAP.

NOW, THEREFORE, BE IT

RESOLVED, that the grant budget and project period for the United States Environmental Protection Agency Great Lakes Restoration Initiative Grant is revised in the Department of Environment and Planning, Business Area 162, as follows:

United States Environmental Protection Agency Great Lakes Restoration Initiative Grant: "Buffalo River RAP Project Management: Bailey/Smith Habitat Restoration Delisting Project" (Grant Period: 10/1/2013 – 12/31/2017), SAP Grant Account #162BRRPM0916

REVENUE:

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revision</u>	<u>Revised Budget</u>
414000	Federal Aid Revenue	(\$1,948,464)	\$0	(\$1,948,464)
<u>TOTAL REVENUE</u>				<u>(\$1,948,464)</u>

APPROPRIATIONS

500000	Full Time Salaries	\$139,200	\$ 73,729	\$ 212,929
502000	Fringe Benefits	\$ 93,264	\$ 47,930	\$ 141,194
505000	Office Supplies	\$0	\$ 2,000	\$ 2,000
510000	Local Mileage Reimbursement	\$0	\$0	\$ 0
510100	Out of Area Travel	\$ 600	\$3,000	\$ 3,600
			0	
516020	Professional Services Contract	\$1,715,400	(\$126,659)	\$1,588,741
<u>TOTAL APPROPRIATIONS</u>		<u>\$1,948,464</u>	<u>\$0</u>	<u>\$1,948,464</u>

and be it further

RESOLVED, that the following position, for which sufficient funding through United States Environmental Protection Agency grant funding for personal services and fringe benefits exists, will be created in the above grant:

Senior Environmental Compliance Specialist (JG-12)
B-100 #8731
Budgeted Annual Salary: \$63,203

; and be it further

RESOLVED, that the following position be eliminated in the above grant:

Environmental Compliance Specialist (JG-9)
B-100 #7402
Budgeted Annual Salary: \$46,400

; and be it further

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to extend the necessary agreements with Buffalo Niagara Riverkeeper for a contract total of \$435,659 to manage the Buffalo River RAP over the project period; and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with State and local funding requirements; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; Thomas Hersey, Jr., Commissioner of Environment and Planning; and Bonnie Lawrence, Deputy Commissioner of Environment and Planning.

(6-0)

2. COMM. 13E-18 (2016)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Parks, Recreation and Forestry is requesting authorization to accept the donation of one parcel of land from the Western New York Land Conservancy to be converted into a County forestry lot; and

WHEREAS, the “Lakeview Pocket Preserve” in Derby, New York, Erie County, would allow Erie County residents to access this lot on the Lake Erie shoreline as public parkland in perpetuity.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Department of Parks, Recreation and Forestry is authorized to enter into an agreement with the Western New York Land Conservancy to accept the donation of one parcel, approximately 8.2 acres of land, SBL-206.00-1-8.11, located at 6892 Lakeshore Road, Derby, New York 14047 to become a forestry lot; and be it further

RESOLVED, that any funds in an amount not to exceed \$3,000 necessary to effectuate this property transfer, including but not limited to a title search shall be appropriated from Fund 110, Funds Center 16200 and Account 516020, Professional Services Contracts and Fees; and be it further

RESOLVED, that certified copies of this Resolution be sent to the Erie County Executive, the Commissioner of Parks, Recreation and Forestry, the Commissioner of Environment and Planning, the Erie County Division of Budget and Management and the Erie County Department of Law.

(6-0)

3. COMM. 13E-19 (2016)

COUNTY EXECUTIVE

WHEREAS recycling organic materials by composting reduces the generation of greenhouse gases; creates soil amendments, energy and jobs; and reduces reliance on waste disposal; and

WHEREAS Erie County’s Green Team is integral in creating the Climate Action and Sustainability Plan as part of the NYSERDA contract granted April 16, 2015 (COMM.6E-8 (2015)); and

WHEREAS the Erie County Sheriff's Office is in full support of the application to begin composting of food waste at the Erie County Correctional Facility in Alden, NY; and

WHEREAS, the Jail Management Division's Service Action Corp and participating inmates will assist with site's development, management, and maintenance; and

WHEREAS, the program will train Service Action Corps inmates in the process of composting while providing education about the importance of food waste reduction; and

WHEREAS, the material produced through the composting process will be utilized by the Service Action Corps, the Inmate Horticultural program, the Inmate Urban Garden Program at the correctional facility, and various county departments can utilize the material at County owned parks and facilities; and

WHEREAS, there is adequate acreage at the Erie County Correctional Facility to support a composting site.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby support the Department of Environment and Planning's application for grant funding for a food composting project at the Erie County Correctional Facility through the Climate Smart Communities initiative; and be it further;

RESOLVED, that Erie County commits that if awarded the grant, it will agree to the use of property for the purpose of composting food waste; and be it further

RESOLVED, that certified copies of this resolution shall be provided for the County Executive; the County Attorney; Thomas R. Hersey, Jr., Commissioner of Environment and Planning; Bonnie Lawrence, Deputy Commissioner of Environment and Planning, Erie County Sheriff's Office.

(6-0)

4. COMM. 13E-20 (2016)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Ontario & Park Sanitary Sewer Cured-in-Place Pipe Lining Project, Erie County Sewer District No.3, Contract No. 58 at 2:00p.m. on Wednesday, June 22, 2016:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 58	Kenyon Pipeline Inspection LLC 68 Park Rd. Queensbury, NY 12804	\$615,510.00

; and

WHEREAS, the aforementioned lowest responsible bidder is recognized as a reputable contractor capable of completing this project; and

WHEREAS, the Division of Sewerage Management has determined that this project is a Type II action in accordance with 6NYCRR Section 617.5(c) and therefore is not subject to State Environmental Quality Review Act review under New York State Environmental Conservation Law; and

WHEREAS, there are adequate cash reserves in Erie County Sewer District No.3 Capital Reserve Account C.00007.

NOW, THEREFORE, BE IT,

RESOLVED, that the Ontario & Park Sanitary Sewer Cured-in-Place Pipe Lining Project, Erie County Sewer District No.3, Contract No. 58 be awarded as follows

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 58	Kenyon Pipeline Inspection LLC 68 Park Rd. Queensbury, NY 12804	\$615,510.00

; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned lowest responsible bidder, subject to approval as to form by the County Attorney's office and approval as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the County Comptroller is authorized and directed to allocate \$615,510.00 from Sewer Capital, Erie County Sewer District No.3, Account C.00007 for Contract No. 58; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized and directed to transfer \$615,510.00 from Erie County Sewer District No.3 Capital Reserve Account C.00007 to Sewer District No.3 Capital Account C.00062 and establish the budgets necessary to facilitate the transfer; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized to increase estimated revenue and appropriations in Erie County Sewer District No. 3 Capital Account C.00062 by \$615,510.00 for this project; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this resolution to the County Executive, the Director of Budget and Management, the County Comptroller, and Kristen Walder, Assistant County Attorney; and two (2) certified copies to Joseph L. Fiegl, P.E., Department of Environment and Planning, Rath Building, 10th Floor.
(6-0)

TED B. MORTON
CHAIR

Item 20 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 199

July 21, 2016	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 13
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 5E-14 (2016)

COUNTY EXECUTIVE

WHEREAS, Hopkins Court Apartments consists of a two story, 105-unit elevator building designed and built for senior affordable housing; and

WHEREAS, Hopkins Court was originally built in 2000 utilizing tax credits. One hundred percent of the units are set aside for households at or below 60% of the area median income and 100% of the units are rent restricted; and

WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and the PILOT is consistent with said policy; and

WHEREAS, in order to make the Project economically feasible for Hopkins Court Apartments to continue to operate the community it is necessary to extend tax relief from the County of Erie and the Town of Amherst.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement extension with Hopkins Court Associates, L.P., the Town of Amherst, and any other organizations necessary to conclude this PILOT Agreement; and be it further

RESOLVED, that said Agreement extension shall include an annual PILOT in the amount of taxes due as set forth on Schedule A attached hereto; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the Director of Real Property Tax Services; the Commissioner of the Department of Environment and Planning; the County Comptroller; and the County Attorney.

SCHEDULE A
Hopkins Court Apartments

Hopkins Court Associates, L.P.

PILOT Payment Schedule
 Proposed

	Year	PILOT Payment	County	Town
Actual	2002	29,475	7,436	22,039
	2003	30,637	7,659	22,978
	2004	31,556	7,889	23,667
	2005	32,503	8,126	24,377
	2006	33,479	8,370	25,109
	2007	34,483	8,621	25,862
	2008	35,517	8,879	26,638
	2009	36,583	9,146	27,437
	2010	37,680	9,420	28,260
	2011	38,811	9,703	29,108
	2012	39,975	9,994	29,981
	2013	41,175	10,294	30,881
	2014	42,409	10,602	31,807
Proposed	2015	43,681	10,920	32,761
	2016	44,992	11,248	33,744
	2017	46,342	11,585	34,756
	2018	47,732	11,933	35,799
	2019	49,164	12,291	36,873
	2020	50,639	12,660	37,979
	2021	52,158	13,040	39,119
	2022	53,723	13,431	40,292
	2023	55,334	13,834	41,501
	2024	56,995	14,249	42,746
	2025	58,704	14,676	44,028
	2026	60,465	15,116	45,349
	2027	62,279	15,570	46,710
	2028	64,148	16,037	48,111
	2029	66,072	16,518	49,554
	2030	68,054	17,014	51,041
	2031	70,096	17,524	52,572

(6-0)

2. COMM. 5E-15 (2016)
COUNTY EXECUTIVE

WHEREAS, St. Mary’s Commons Apartments consists of a two story, 101-unit building designed for senior affordable housing; and

WHEREAS, St. Mary’s Commons Apartments was originally built in 2003 utilizing tax credits. One hundred percent of the units are set aside for households at or below 60% of the area median income and 100% of the units are rent restricted; and

WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and the PILOT is consistent with said policy; and

WHEREAS, in order to make the Project economically feasible for St. Mary’s Commons Apartments to continue to operate the community it is necessary to extend tax relief from the County of Erie and the Town of Amherst.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement extension with St. Mary’s Commons Apartments, L.P., the Town of Amherst, and any other organizations necessary to conclude this PILOT Agreement; and be it further

RESOLVED, that said Agreement extension shall include an annual PILOT in the amount of taxes due as set forth on Schedule A attached hereto; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the Director of Real Property Tax Services; the Commissioner of the Department of Environment and Planning; the County Comptroller; and the County Attorney.

SCHEDULE A
St. Mary’s Commons Apartments

ST. MARY’S COMMONS APARTMENTS, L.P.

PILOT Payment Schedule
Proposed

	Year	PILOT Payment	County	Town
Actual	2005	30,054	7,514	22,541
	2006	30,956	7,739	23,217
	2007	31,884	7,971	23,913
	2008	32,840	8,210	24,631
	2009	33,826	8,457	25,370
	2010	34,841	8,710	26,131
	2011	35,886	8,972	26,915
	2012	36,963	9,241	27,722
	2013	38,072	9,518	28,554
	2014	39,214	9,803	29,410
	2015	40,390	10,098	30,293
	2016	41,602	10,400	31,201
	2017	42,850	10,712	32,137
Proposed	2018	44,135	11,034	33,101
	2019	45,459	11,365	34,095
	2020	46,824	11,706	35,118
	2021	48,229	12,057	36,171
	2022	49,675	12,419	37,257
	2023	51,166	12,791	38,374
	2024	52,701	13,175	39,525
	2025	54,282	13,570	40,711
	2026	55,910	13,978	41,933
	2027	57,587	14,397	43,191
	2028	59,315	14,829	44,486
	2029	61,094	15,274	45,821
	2030	62,927	15,732	47,195
	2031	64,815	16,204	48,611
	2032	66,760	16,690	50,070
	2033	68,762	17,191	51,572
	2034	70,825	17,706	53,119

(6-0)

3. **COMM. 9E-3 (2016)**
COUNTY EXECUTIVE AS AMENDED

WHEREAS, the existing roof system is beyond its useful life and is leaking causing damage to the building interior space and systems. Replacing the roof will help maintain a safe and proper working environment for the building occupants and preserve the building for continued use; and

WHEREAS, the Erie County Department of Public Works received bids for the Erie County Health Department - 2016 Building 17 Roof Replacement Phase1 project on June 27, 2016;and

WHEREAS, the Erie County Department of Public Works, and the Architect are recommending award of a contract to the lowest responsible bidder; and

WHEREAS, your Honorable Body has previously authorized the County Executive to enter into an General NE Agreement with the architectural firm of Clark Patterson Lee for providing Architectural/Engineering Services on Erie County projects; and

WHEREAS, the County Executive is requesting authorization to enter into an Agreement Amendment or Contract with the architectural and engineering firm of Clark Patterson Lee for providing additional Architectural/Engineering Services for the Erie County Health Department - Building 17 Roof Replacement project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Erie County Health Department - 2016 Building 17 Roof Replacement Phase 1 project as follows:

General Construction Work

Jameson Roofing Company	Base Bid:	\$1,126,700.00
Add Roof Area	Alternate No. 1 Bid:	<u>\$ 105,582.00</u>
	Total amount of contract not to exceed	\$1,232,282.00

; and be it further

RESOLVED, that the sum of \$172,718.00 be allocated to a Construction Contingency Fund with authorization for the County Executive, to approve change orders in an amount not to exceed the Construction Contingency Fund; and be it further

RESOLVED, that any deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the County Executive is authorized to enter into an Agreement Amendment or Contract with Clark Patterson Lee for providing additional Architectural/Engineering Services for the Erie County Health Department - Building 17 Roof Replacement project, including reimbursables for an amount not to exceed \$32,000.00; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for the above from SAP Project Accounts as follows:

A.16026 - 2016 Improvements to Building 17 (Buffalo)	\$ 500,000.00
<u>A.13015 - 2013 EMCC Bldg. 17 Improvements Buffalo</u>	<u>\$ 937,000.00</u>
Total Amount Not To Exceed:	\$ 1,437,000.00

; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.
(6-0)

4. COMM. 10E-7 (2016)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, the County of Erie, Department of Public Works advertised for Request for Qualifications from Architectural/Engineering and Testing Services firms for the Division of Highways and Buildings; and

WHEREAS, the County Executive is requesting approval to pre-qualify Architectural/Engineering and Testing Services with the firms having the necessary expertise, experience and personnel to provide professional services on County projects; and

WHEREAS, the General Architectural/Engineering and Testing Services pre-qualification list will be valid for a period of one (1) year, from the date of this Legislative Resolution; and

WHEREAS, the request for General Architectural/Engineering & Testing Services is consistent with the Erie County Administrative Code, Section 19.08.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature is hereby authorizing a pre-qualified list of General Architectural/Engineering and Testing Service firms for providing Architectural/Engineering and Testing Service projects with the Department of Public Works as listed in the attached Exhibit A; and be it further

RESOLVED, that the General Architectural/Engineering and Testing Services pre-qualified firms will remain in effect for one (1) year from the approved date of this Legislative Resolution; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller.

2016 DPW CONSULTANT RFQ RESPONDENT LIST

CONSULTANT	HIGHWAYS					BUILDINGS						
	A-1	A-2	A-3	A-4	A-5	B-1	B-2	B-3	B-4	B-5	B-6	B-7
	Road construction & Reconstruction	Bridge & Culvert Construction & Reconstruction	Dam Maintenance & Repairs	Survey	Highway Material Testing & Inspections	Architectural Services for Small to Large Buildings	Mechanical Plumbing Systems Maintenance and New Buildings	Commissioning Services	Electrical - Maintenance & New Construction	Building Code Compliance	Federal / State Environmental Compliance	Building Material Testing & Inspections
Advance Architecture & Planning						X						
AECDM						X						
Architectural Resources						X	X	X		X	X	X
Bergmann Assoc.	X	X	X	X		X	X	X	X	X	X	X
BHNT Architects						X	X	X	X	X	X	X
Buffalo Engineering							X	X	X	X	X	X
C & S Companies	X	X	X	X	X	X				X	X	
C J Brown								X				
Cliff Harbour Assoc (CHA)	X	X	X	X								
Clark Patterson Lee	X	X	X	X	X	X	X	X	X	X	X	X
DiDonato Assoc.	X	X	X	X		X				X	X	X
Erdman Anthony	X	X	X	X	X							
Flynn/Battaglia Architects						X						
Folt-Albert Assoc.	X	X	X	X		X				X	X	
Fransino Engineering & Land Surveying					X							
GHD Consulting Services, Inc.							X	X	X	X	X	
Greenman Patterson Inc.	X	X	X	X	X	X	X	X	X	X	X	X
Hamilton Houston Lowrie						X	X	X	X	X	X	X
Khaopa	X	X	X	X								
Kidney Architects						X				X		
Labelle Assoc.	X	X	X	X		X	X	X	X	X	X	X
Liko Engineers	X	X					X	X	X	X	X	X
McMahon & Mann	X	X	X									
MNB Group	X	X	X			X	X	X	X			
Papil	X	X				X	X	X				
Ravi	X	X	X									
SJB/Empire Soils	X	X	X		X							X
Trautman Assoc.						X	X		X	X		
Ty Lin	X	X										
Urban Engineers	X	X	X	X	X							
Watts Architecture	X	X				X	X	X	X	X	X	X
Wendel	X	X				X	X	X	X		X	
WSP Parsons Brinckerhoff	X	X	X	X								
Zavis Architectural						X						

(6-0)

5. COMM. 13E-7 (2016)
COUNTY EXECUTIVE

WHEREAS, a project to construct a 0.85 mile long multi-use pedestrian/bike pathway in the City of Tonawanda from State to East Niagara Street, along an unused railroad ROW owned by NFTA and within Fillmore Avenue ROW owned by the City of Tonawanda (the "Project"), said Project known as Tonawanda Rails to Trails Extension a federal aid project identified as NYSDOT PIN 5761.02 was authorized by this honorable body on June 11, 2015 via Communication 11E-10; and

WHEREAS, it is desired to acquire the ROW necessary for the construction of the project; and

WHEREAS, acquisition of ROW may involve acquisition of real property interests by fee, permanent easement, temporary easement, permit, lease, license, or intermunicipal agreement with any or all of: the Niagara Frontier Transportation Authority, the New York State Canal Corporation, the City of Tonawanda and such other property owners as may be required (the Property Owners); and

WHEREAS, in order to allow for acquisition of the required ROW in time for NYS DOT/FHWA to grant construction approval by September 30, 2016, the end of the current federal fiscal year, and to prevent putting the Project's federal funding at risk.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the commencement of the acquisition of the ROW required to construct the Project; and be it further

RESOLVED, that a sum not to exceed \$43,000.00 from Business Area 123, Fund 420, SAP B.13016.19, Tonawanda Rails to Trails ROW be made available to cover all costs of ROW acquisition; and be it further

RESOLVED, that the County of Erie is authorized to acquire the necessary real property interests from the aforementioned Property Owners for the purpose of constructing the Project; and be it further

RESOLVED, that the County of Erie is authorized to enter into all necessary contracts and agreements for the acquisition of the required ROW to construct the Project; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, are hereby authorized to establish the amounts which he believes to represent just compensation for the real property interests to be acquired; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, are hereby authorized to negotiate and offer just compensation amounts to the Property Owners for the purpose of acquiring the necessary real property interest in portions of their respective parcels of real property by fee, easement, permit and/or lease, which acquisition is necessary for construction of the Project; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, are authorized to act on behalf of the County of Erie in connection with the acquisition of the required ROW from the aforementioned Property Owners; and be it further

RESOLVED, that the County Attorney shall prepare and the County Executive shall execute all appropriate documents relating to acquiring fee, easement, permit, lease, license or intermunicipal agreement interests in the necessary ROW; and be it further

RESOLVED, should one or more owners of the Subject Properties refuse to convey such portions of their real property to the County for an amount not to exceed the just compensation determined by the Commissioner of Public Works, or his authorized representatives, the County is authorized to commence eminent domain procedures; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and also one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(6-0)

6. COMM. 13E-8 (2016)
COUNTY EXECUTIVE

WHEREAS, The Village of Hamburg (“Village”) intends to design and construct pedestrian facilities on a County owned roadway at Legion Drive (CR 134); and

WHEREAS, said pedestrian facilities shall be designed and constructed in compliance with the Americans with Disabilities Act and with Federal and Village funds; and

WHEREAS, the Village shall be responsible for any and all maintenance aspects related to the pedestrian facilities; and

WHEREAS, an agreement between the Village and the County will be necessary to allow the Village to proceed with the design and construction of the pedestrian facilities.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute an agreement between the County of Erie and the Village of Hamburg, allowing the Village to design, construct, and maintain pedestrian facilities located on Legion Drive (CR 134) in the Village of Hamburg; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy of the resolution to the County Executive; the County Attorney; and the Department of Public Works (6-0)

7. COMM. 13E-9 (2016)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Public Works received bids for the Buffalo Niagara Convention Center – 2016 – Toilet Room Renovations, Loading Dock Railings & Sprinkler Conversion and Fire Alarm Upgrades on May 5, 2016 and May 26, 2016; and

WHEREAS, the Erie County Department of Public Works, along with the A/E firm, BHNT Architects, are recommending award of the contract to the lowest responsible bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidders for the Buffalo Niagara Convention Center – 2016 – Toilet Room Renovations, Loading Dock Railings & Sprinkler Conversion and Fire Alarm Upgrades project for an amount not to exceed as follows:

General Construction Work
Miller Enterprises, Inc.

Base Bid:	\$124,000.00
<u>Add Alternate No. 3</u>	<u>\$110,000.00</u>
Total General Construction Contract	\$234,000.00

Plumbing Work

Leo J. Roth

Base Bid	\$22,200.00
<u>Add Alternate No.3</u>	<u>\$25,500.00</u>
Total Plumbing Contract	\$47,700.00

Electrical Work

CIR Electrical

Base Bid	\$105,997.00
<u>Add Alternate No.3</u>	<u>\$ 21,765.00</u>
Total Electrical Contract	\$127,762.00

Fire Protection Work

Allied Fire Protection

<u>Base Bid</u>	<u>\$ 46,270.00</u>
Total Fire Protection Contract	\$ 46,270.00

Total Award of all Contracts Not To Exceed \$455,732.00

;and be it further

RESOLVED, the sum of \$150,000.00 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project Accounts as follows:

A.12002-2012- Buffalo Niagara Convention Center Rehabilitation	\$ 10,000.00
A.14002-2014-Buffalo Niagara Convention Center Rehabilitation	\$158,091.84
A.15002-2015-Buffalo Niagara Convention Center Rehabilitation	\$250,000.00
<u>A.16003-2016-Buffalo Niagara Convention Center Rehabilitation</u>	<u>\$187,640.16</u>
For an Amount Not To Exceed	\$605,732.00

;and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(6-0)

8. COMM. 13E-10 (2016)

COUNTY EXECUTIVE

WHEREAS, the Library Board of Trustees has authorized the Library Director, in cooperation with the Erie County Department of Public Works to proceed with the installation of a new ADA accessible elevator; and

WHEREAS, the Department of Public Works received bids for the Buffalo and Erie County Main Central Library – New ADA Elevator project on June 24, 2016; and

WHEREAS, the Erie County Department of Public Works, along with its Consultant, HHL, is recommending award of the contracts to the lowest responsible bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts with the lowest responsible bidders for the Buffalo & Erie County Main Central Library-New ADA Elevator as follows:

General Construction Work:

Sicoli Construction Services, Inc.

Base Bid:	\$1,138,700.00
Add Alt Bid No 1	14,600.00
Add Alt Bid No 2	29,600.00
Add Alt Bid No 3	15,500.00
	<hr/>
	\$1,198,400.00

Elevator Construction Work

DCB Elevator Co., Inc.

Base Bid:	\$ 197,600.00
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Mechanical & Plumbing Construction Work

MLP Plumbing & Mechanical Inc.

Base Bid:	\$ 84,400.00
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Electrical Construction Work

Weydman Electric & Communications

Base Bid:	\$ 143,747.00
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Total Award of the Contract Not to Exceed \$1,624,147.00

;and be it further

RESOLVED, that the sum of \$160,000.00 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP project account A.21013-2010-Buffalo and Erie County Library-New ADA Compliance Elevator; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Buffalo & Erie County Central Library, Ken Stone, and the Office of the Comptroller.

(6-0)

9. COMM. 13E-11 (2016)

COUNTY EXECUTIVE

WHEREAS, this Honorable Body has previously authorized the County Executive to enter in a General Architectural/Engineering services agreement with the firm of Trautman Associates for providing professional services on Erie County projects; and

WHEREAS, the County Executive is requesting authorization to enter into an Agreement Amendment or Contract with the firm of Trautman Associates for providing professional A/E Services for the Erie County Medical Examiner's Office Laboratory - Phase 4 upgrades project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment or Contract with the firm of Trautman Associates for providing Architectural/Engineering services for the Erie County Medical Examiner's Office Laboratory-Phase 4 upgrade project, for an amount not to exceed \$200,000 including design contingency and reimbursables; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project A.16024-2016-Renovation to Toxicology Laboratory & Medical Examiners Facility, Fund 410, Business Area 122 for an amount not to exceed \$200,000; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(6-0)

10. COMM. 13E-12 (2016)

COUNTY EXECUTIVE

WHEREAS, the County of Erie will be receiving bids for the Erie County Home – 2016 Perimeter Fencing Re-Bid during the Legislative recess period; and

WHEREAS, the Legislative meeting scheduled before summer recess will not allow for the normal award process of construction contracts after bids are received; and

WHEREAS, the County Executive is seeking pre-authorization to award contracts to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is pre-authorized to award a contract to the lowest responsible bidder so the work can proceed during the summer months for a total contract, including construction contingency, for an amount not to exceed \$150,000.00; and be it further

RESOLVED, that the Department of Public Works will report to the Legislature the value of the contracts awarded and to whom; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP project accounts as follows:

A.20903 – 2009 Countywide Fire Alarm & Security Improvements	\$57,000.00
A.11005 – 2011 Countywide Building & Facility Improvements	\$30,000.00
A.14003 – 2014 Countywide Code & Environmental Compliance	\$41,000.00
A.15003 – 2015 Countywide Code & Environmental Compliance	\$ 7,000.00
<u>A.16011 – 2016 DPW EC Home Decommissioning</u>	<u>\$15,000.00</u>
Total Amount not to exceed:	\$150,000.00

;and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller.

(6-0)

11. COMM. 13E-13 (2016)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works received bids for the Erie County Highways Department-2016-Harlem Road Fleet Building Addition on March 15, 2016; and

WHEREAS, the lowest responsible bidder for the General Construction work is Northern Dreams Construction; and

WHEREAS, the Erie County Department of Public Works, along with its Consultant, is recommending award of the contract to the lowest responsible bidder; and

WHEREAS, the County Executive requests authorization to enter into an Agreement Amendment with the firm of Advanced Architecture & Planning for providing Professional Architectural/Engineering Services for the Erie County Highways Department – 2016 – Harlem Road Fleet Building Addition.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a Contract with the lowest responsible bidder for the Erie County Highways Department – 2016 – Harlem Road Fleet Building Addition for an amount not to exceed as follows:

General Construction Work

Northern Dreams Construction	Base Bid:	\$265,000.00
	Alt Bid #1	\$ 11,238.70

Alt Bid #2 \$ 6,113.80
Total Award of Construction Project \$282,352.50

;and be it

RESOLVED, that the sum of \$25,000.00 be allocated to the Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that deduct change orders will be result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of Advanced Architecture & Planning for providing Professional Architectural/Engineering Services for the Erie County Highway Department – 2016- Harlem Road Fleet Building Addition, for an amount not to exceed \$2,500.00

RESOLVED, that the Comptroller’s Office be authorized to make payment for all the above from SAP Project Account: A.20904 – 2009 Space Consolidation for a total amount not to exceed \$309,852.50; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner’s Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.
(6-0)

12. COMM. 13E-14 (2016)

COUNTY EXECUTIVE

WHEREAS, last year construction contracts were authorized by this Honorable Body for the Various Highway Maintenance Facilities-2015-New Salt Storage Buildings project; and

WHEREAS, when the contractor started excavating for the foundations and contaminated soils were encountered which must be remediated per NYS-DEC regulations; and

WHEREAS, the Construction Contingency must be increased to fund additional work.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to increase the current construction contingency fund by \$150,000.00 to a total of \$197,418.00 to address environmental issues at the Clarence Highway Barn; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that Contract Amendments will be negotiated and issued to the previously approved contractors on site to complete the additional work at the Clarence Highway Barn; and be it further

RESOLVED, that the Comptroller's office be authorized to make payment for all the above from SAP Project A.16009-2016-DPW Environmental Regulatory Compliance (Countywide), Fund 410, Business Area 122, for a total amount not to exceed \$150,000.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.
(6-0)

13. COMM. 13E-15 (2016)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works received bids for the Hamburg Highway Maintenance Facility - 2016- New Salt Storage Building project on May 9, 2016; and

WHEREAS, the Erie County Department of Public Works, along with the A/E firm of Wendel Architects & Engineers are recommending award of the contract to the lowest responsible bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts with the lowest responsible bidders for the Hamburg Highway Maintenance Facility-2016-New Salt Storage Building project for an amount not to exceed as follows:

<u>General Construction Work</u>		
Hybrid Building Solutions	Base Bid	\$285,970.85
<u>Site Construction Work</u>		
Pinto Construction	Base Bid	\$296,720.00
<u>Electrical Construction Work</u>		
<u>Weydman Electric</u>	Base Bid	\$ 22,400.00
Total Award of Contracts Not To Exceed		\$605,090.85

;and be it further

RESOLVED, that the sum of \$60,309.15 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project Accounts as follows:

A.13027-2013-Highway Building Improvements	\$399,731.15
<u>A.15006-2015-Countywide Environmental Regulatory Compliance</u>	<u>\$265,668.85</u>
For a Total Amount Not to Exceed	\$665,400.00

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(6-0)

14. COMM. 13E-16 (2016)
COUNTY EXECUTIVE

WHEREAS, several months ago construction contracts were authorized by your Honorable Body for the Erie County Holding Center -2014- Various Renovations- Phase 2- Locker Room Renovations; and

WHEREAS, unforeseen conditions incurred during the execution of the project and additional work requested by the Erie County Sheriff's Department; and

WHEREAS, the Construction Contingency must be increased to fund the additional work.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to increase the current construction contingency fund by \$50,000.00 to a total of \$120,000.00; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that Contract Amendments will be negotiated and issued to the previously approved contractors on site to complete the additional work; and be it further

RESOLVED, that the Comptroller's office be authorized to make payment for all the above from SAP project A.13022-2013-Various Improvements to the Erie County Holding Center, for a total amount not to exceed \$50,000.00; and be it

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office and one copy each to the Office of the County Executive, the Division of Budget and Management, Sheriff's Office and the Office of the Comptroller.

(6-0)

15. COMM. 13E-40 (2016)
COUNTY EXECUTIVE

WHEREAS, Sprague Brook Park would benefit with higher usage of the park if more electric campsites were available since they show more use and activity, and the Department of Parks, Recreation, and Forestry would benefit from increased income as a result; and

WHEREAS, LaBella Associates, D.P.C. has the necessary expertise and manpower to provide professional design and construction services for the Sprague Brook Park – Campsite Electric Installation project; and

WHEREAS, your Honorable Body has previously authorized the County Executive to enter into a General Architectural/Engineering Services Agreement with LaBella Associates, D.P.C. for providing Professional Design Services on Erie County projects; and

WHEREAS, the County Executive requests authorization to enter into Agreement Amendments with the firm of LaBella Associates, D.P.C. for providing Professional Architectural/Engineering Services for the Sprague Brook Park – Campsite Electric Installation project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of LaBella Associates, D.P.C. for providing Professional Architectural/Engineering Services for the Sprague Brook Park – Campsite Electric Installation project for an amount not to exceed \$20,000.00, including reimbursables and a design contingency; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for the above from BA 122, Fund 410 - SAP Project A.15012 – 2015 Countywide Parks Improvements; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner’s Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the Comptroller, and the Department of Parks, Recreation, and Forestry.

(6-0)

16. COMM. 13E-45 (2016)

COUNTY EXECUTIVE

WHEREAS, in September of 2006, Sprint Spectrum Realty Company, LLC (formerly, Sprint Spectrum L.P.) (“Sprint”) entered into a lease agreement with the County of Erie (“County”) for purposes of leasing space on the cell tower located on the South Campus of Erie Community College (“ECC”); and

WHEREAS, the 2006 lease agreement is set expire on August 31, 2016 and Sprint has requested to extend the term for an additional sixty (60) months with the option to renew for two additional consecutive terms, each for sixty (60) months; and

WHEREAS, ECC shall continue to receive monthly revenue from Sprint as a tenant on the cell tower; and

WHEREAS, effective September 1, 2016, the annual rent shall be in the amount of \$27,854.16, with an increase of 4% each year; and

WHEREAS, the ECC Board of Trustees approved entering into the proposed lease amendment with Sprint at their meeting on June 30, 2016.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute a lease amendment with Sprint Spectrum Realty Company, LLC (formerly, Sprint Spectrum L.P.) for purposes of leasing space on the cell tower located on the South Campus of Erie Community College for a period of sixty (60) months with the option to renew for two additional consecutive terms, each for sixty (60) months; and be it further

RESOLVED, that the funds received from this lease amendment are to be budgeted for, and accounted for, as operating revenue of Erie Community College; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the County Executive; Erie Community College; the County Attorney; the Division of Budget and Management; and the Department of Public Works.
(6-0)

EDWARD A. RATH, III
CHAIR

Item 21 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 200

July 21, 2016	PUBLIC SAFETY COMMITTEE REPORT NO. 11
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 5M-5 (2016)
KENILWORTH FIRE DISTRICT NO. 2: “Letter to Legislator Rath Regarding Members of the EC Fire Advisory Board”
(6-0)

2. COMM. 13E-39 (2016)
COUNTY EXECUTIVE
WHEREAS, the Erie County Youth Service Division currently contracts for the provision of non-secure youth services through the Gateway Longview and New Directions community agencies; and

WHEREAS, the County of Niagara would like to utilize the current Erie County contract for the provision of two non-secure beds per day; and

WHEREAS, the County of Niagara has agreed to reimburse Erie County for their portion of the contract.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract with the County of Niagara in the amount of \$108,928 for the guarantee of two non-secure beds per day utilizing the existing Erie County contract with the Gateway Longview and New Directions agencies for the period of July 1st to December 31st, 2016, and be it further

RESOLVED, that the following Budget adjustments are hereby authorized:

2016 Budget	
Division of Youth Services - Fund Center 12520	
Revenue	Increase/(Decrease)
Account 420060 Reimbursement Other Govt. non-secure	\$ 108,928
Account 407615 State Aid - Non-Secure Local	<u>(53,375)</u>
Total Revenue	\$ 55,553
Expense	
Account 516020 Professional Services	<u>\$ 55,553</u>
Total Expense	\$ 55,553
Net	\$ 0

and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, the Division of Budget and Management, the Office of the Comptroller, the Department of Social Services, and the Division of Youth Services.

(6-0)

3. COMM. 13E-41 (2016)

SHERIFF

WHEREAS, School Resource Officers (SROs) are vital to the safety of students, teachers and staff, in that SROs promote a safe environment in schools so the focus can be on instruction; and

WHEREAS, SRO serve a multifaceted purpose in our schools including serving as first responders for incident that occur on school campuses; and

WHEREAS, budget constraints have limited the ability of the Alden, Holland, North Collins and Springville school districts, to include SROs in their budgets, such that none of the districts are able to employ a SRO on their campuses; and

WHEREAS, New York State Senator Patrick Gallivan, has secured a one-hundred eight thousand dollar two hundred seventy-seven (\$108,277) legislative initiative grant to fund an SRO to be shared by the districts; and

WHEREAS, pursuant to the terms of the special legislative grant, Erie 2 Chautauqua-Cattaraugus BOCES (BOCES) shall serve as the contract coordinator for administrative purposes; and

WHEREAS, the sheriff has conferred with BOCES and the districts, and has agreed to provide and assign one uniformed Deputy to be shared among the districts as an SRO; and

WHEREAS, it is the intent of all parties that neither BOCES nor the districts will incur any additional expense for the Sheriff's provision of the uniformed Deputy Officer beyond the funds provided by the legislative initiative grant secured by Senator Gallivan's office; and

WHEREAS, the BOCES and the County, acting through the Erie County Sheriff's Office, desire to set forth in this agreement the specific terms and conditions of the services to be performed and provided by the Deputy as SRO in the districts; and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive and the Erie County Sheriff's Office to enter into an agreement with Erie 2 Chautauqua-Cattaraugus BOCES for one (1) SRO Deputy Officer and to receive funding in the amount \$108,277 .00 for said position which will be shared among Alden, Holland, North Collins and Springville school districts; and

RESOLVED, this agreement is for the period of September 1, 2014 through June 30, 2015; and be it further

RESOLVED, BOCES will compensate the Erie County Sheriff's Office utilizing the aforementioned legislative initiative grant for the position of an SRO; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget and Management, the Office of the Comptroller, the County Attorney and the Office of the Sheriff.

(6-0)

4. COMM. 13E-42 (2016)

SHERIFF

WHEREAS, School Resource Officers (SROs) are vital to the safety of students, teachers and staff , in that SROs promote a safe environment in schools so the focus can be on instruction; and

WHEREAS, SRO serve a multifaceted purpose in our schools including serving as first responders for incident that occur on school campuses; and

WHEREAS, budget constraints have limited the ability of the Alden, Holland, North Collins and Springville school districts, to include SROs in their budgets, such that none of the districts are able to employ a SRO on their campuses; and

WHEREAS, New York State Senator Patrick Gallivan, has secured a one-hundred ten thousand dollar (\$110,000) legislative initiative grant to fund an SRO to be shared by the districts; and

WHEREAS, pursuant to the terms of the special legislative grant, Erie 2 Chautauqua-Cattaraugus BOCES (BOCES) shall serve as the contract coordinator for administrative purposes; and

WHEREAS, the sheriff has conferred with BOCES and the districts, and has agreed to provide and assign one uniformed Deputy to be shared among the districts as an SRO; and

WHEREAS, it is the intent of all parties that neither BOCES nor the districts will incur any additional expense for the Sheriffs provision of the uniformed Deputy Officer beyond the funds provided by the legislative initiative grant secured by Senator Gallivan's office; and

WHEREAS, the BOCES and the County, acting through the Erie County Sheriffs Office, desire to set forth in this agreement the specific terms and conditions of the services to be performed and provided by the Deputy as SRO in the districts; and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive and the Erie County Sheriff's Office to enter into an agreement with Erie 2 Chautauqua-Cattaraugus BOCES for one (1) SRO Deputy Officer and to receive funding in the amount \$110,000 .00 for said position which will be shared among Alden, Holland, North Collins and Springville school districts; and

RESOLVED, this agreement is for the period of September 1, 2015 through June 30, 2016; and be it further

RESOLVED, BOCES will compensate the Erie County Sheriff's Office utilizing the aforementioned legislative initiative grant for the position of an SRO; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget and Management, the Office of the Comptroller, the County Attorney and the Office of the Sheriff.

(6-0)

5. COMM. 13E-43 (2016)

SHERIFF

WHEREAS, School Resource Officers (SROs) are vital to the safety of students, teachers and staff , in that SROs promote a safe environment in schools so the focus can be on instruction; and

WHEREAS, SRO serve a multifaceted purpose in our schools including serving as first responders for incident that occur on school campuses; and

WHEREAS, budget constraints have limited the ability of the Alden, Holland, North Collins and Springville school districts, to include SROs in their budgets, such that none of the districts are able to employ a SRO on their campuses; and

WHEREAS, New York State Senator Patrick Gallivan, has secured a one-hundred ten thousand dollar (\$110,000.00) legislative initiative grant to fund an SRO position to be shared by the districts for the 2016/2017 school year; and

WHEREAS, pursuant to the terms of the special legislative grant, Erie 2 Chautauqua-Cattaraugus BOCES (BOCES) shall serve as the contract coordinator for administrative purposes; and

WHEREAS, the sheriff has conferred with BOCES and the districts, and has agreed to provide and assign one uniformed Deputy to be shared among the districts as an SRO for the 2016/2017 school year; and

WHEREAS, it is the intent of all parties that neither BOCES nor the districts will incur any additional expense for the Sheriff's provision of the uniformed Deputy Officer beyond the funds provided by the legislative initiative grant secured by Senator Gallivan's office; and

WHEREAS, the BOCES and the County, acting through the Erie County Sheriff's Office, desire to set forth in this agreement the specific terms and conditions of the services to be performed and provided by the Deputy as SRO in the districts; and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive and the Erie County Sheriff's Office to enter into an agreement with Erie 2 Chautauqua-Cattaraugus BOCES for one (1) SRO Deputy Officer and to receive funding in the amount \$110,000 .00 for said position which will be shared among Alden, Holland, North Collins and Springville school districts; and

RESOLVED, this agreement is for the period of September 1, 2016 through June 30, 2017; and be it further

RESOLVED, BOCES will compensate the Erie County Sheriff's Office utilizing the aforementioned legislative initiative grant for the position of an SRO for the 2016/2017 school year; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget and Management, the Office of the Comptroller, the County Attorney and the Office of the Sheriff.

(6-0)

6. COMM. 13E-48 (2016)

COUNTY EXECUTIVE & SHERIFF

WHEREAS, the Erie County Sheriff's Office and the County Executive's Office, in conjunction with the Erie County Department of Health have determined that substantial efficiencies and process improvements can be gained by consolidation of correctional health services into the Sheriff's Office; and

WHEREAS, New York State law grants the authority for the care of inmates to the Sheriff of Erie County; and

WHEREAS, correctional health models across New York State and the country place the health care of inmates under the local sheriff's office; and

WHEREAS, the creation of a separate division within the sheriff's office would enable the County to better comply with the autonomy provisions of the Stipulated Order of Dismissal with the US Department of Justice; and

WHEREAS, the medical monitor for the US Department of Justice has approved the transfer of the division.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the transfer of the Correctional Health Service Division and its budget in its entirety to the Erie County Sheriff's Office; and be it further

RESOLVED, that a Division of Correctional Health be created within the Erie County Sheriff's Office and be tasked with the provision of health services to those in the care, custody and control of the Sheriff; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one full time position of First Deputy Superintendent- Compliance JG 16 (\$114,134 annual salary) in the Correctional Health Division as indicated on B100 #8709 to help oversee this division in conjunction with the Director of Correctional Health; and be it further

RESOLVED, that \$57,067 is hereby transferred from Professional Service Contracts and Fees (Account 516020) to Full Time Salaries (Account 500000) and \$34,240 is hereby transferred from Professional Service Contracts and Fees (Account 516020) to Fringe Benefits (Account 502000) within the Correctional Health budget for this new position; and be it further

RESOLVED, that the Division of Budget and Management and Comptroller's Office are hereby authorized to make any additional budgetary adjustments to effectuate the transfer of this division; and be it further

RESOLVED, that the Clerk of the Legislature shall send certified copies of the resolution to the Division of Budget and Management, the County Attorney's Office, the Erie County Comptroller's Office, the County Executive's Office, the Erie County Sheriff's Office, the Department of Personnel, and the Department of Health for implementation.

(6-0)

EDWARD A. RATH, III
CHAIR

LEGISLATOR RESOLUTIONS

None.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 22 – MR. LORIGO moved to discharge the COMMUNITY ENRICHMENT COMMITTEE of further consideration of COMM. 11E-7. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 201

RE: ECC North Campus - 2015 Dry
Memorial Library Roof Replacement
(COMM. 11E-7, 2016)

MR. LORIGO moved to amend the item. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

Insert the following:

WHEREAS, the existing 33 year old roof system at Erie County Community College North Campus Dry Memorial Library is leaking, causing damage to the building interior spaces and systems; and

WHEREAS, the County will receive 50% reimbursement from New York State for this project; and

WHEREAS, the Erie County Department of Public Works received bids for the Erie Community College North Campus - 2016 Dry Memorial Library Roof Replacement project on June 29, 2016; and

WHEREAS, the Erie County Department of Public Works, and its Architect are recommending award of a contract to the lowest responsible bidder; and

WHEREAS, removal of existing asbestos containing material requires NYS Certified Asbestos Project Monitoring Services to ensure contractor compliance per NYS ICR 56-9.1(d)(1); and

WHEREAS, your Honorable Body has previously authorized the County Executive to enter into an Agreement with Stohl Environmental, LLC to provide Environmental Consulting Services on Erie County projects; and

WHEREAS, the County Executive is requesting authorization to execute a contract with the firm of Stohl Environmental, LLC to provide Abatement Monitoring, Sampling and Testing Services for Erie Community College North Campus projects.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Erie Community College North Campus - 2016 Dry Memorial Library Roof Replacement project as follows:

General Construction Work

Weaver Metal and Roofing, Inc.	Base Bid:	\$ 398,000.00
Add Roof Areas B, C, D and E	Alternate No. 1 Bid:	<u>\$ 550,000.00</u>
	Total amount of contract not to exceed	\$ 948,000.00

; and be it further

RESOLVED, that the sum of \$152,000.00 be allocated to the Construction Contingency Fund with authorization for the County Executive, to approve change orders in an amount not to exceed the Construction Contingency Fund; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the County Executive be authorized to enter into a contract with Stohl Environmental, LLC for an amount not to exceed \$20,000.00 including reimbursables and a contingency; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for the above from SAP Project Accounts as follows:

E.11003 – 2011 Erie Community College – Roofs	\$ 16,356.53
E.13002 – 2013 ECC Roofs Amherst	\$ 490,000.00
E.14002 – 2014 ECC Roofs North Campus Amherst	\$ 461,542.30
E.15003 – 2015 ECC Roof Replacement & Waterproofing Collegewide	\$ 132,101.17
<u>E.15004 – 2015 ECC Code Compliance Collegewide</u>	<u>\$ 20,000.00</u>
Total Amount Not To Exceed:	\$1,120,000.00

; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, Erie Community College, William Reuter, Director of Finance and the Office of the Comptroller.

MR. LORIGO moved to approve the item as amended. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 23 – MR. LORIGO moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of COMM. 13E-24. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 202

RE: Risk Retention Fund - Supplemental
Appropriation
(COMM. 13E-24, 2016)

WHEREAS, the County pays for the cost of legal judgments and settlements, as well as outside counsel expenses, from the Risk Retention Fund; and

WHEREAS, in order to address ongoing litigation matters, a supplemental appropriation of funds for the Risk Retention Fund is necessary.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the appropriation of \$1 million of unassigned fund balance into the 2016 Budget of the Department of Law, Risk Retention Fund, Fund Center 16020, Account 555000 (General Liability); and be it further

RESOLVED, that the Division of Budget and Management and Office of Comptroller are authorized to make the necessary budgetary adjustments to facilitate this request; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Department of Law, and the Division of Budget and Management.

MR. LORIGO moved to approve the item. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 24 – MR. LORIGO moved to discharge the HEALTH & HUMAN SERVICES COMMITTEE of further consideration of COMM. 13E-44. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 203

RE: Department of Social Services –
Comprehensive Employment Program
Staffing
(COMM. 13E-44, 2016)

WHEREAS, certain recipients in the Supplemental Nutrition Assistance Program (SNAP) who are considered Able-Bodied Adults without Dependents (ABAWD) have fallen under new regulations effective January 1, 2016; and

WHEREAS, as a result, the Department of Social Services Comprehensive Employment Division (CED) has begun to provide employment assessments to approximately 2,800 clients not previously required to comply with work activity assignments; and

WHEREAS, in order to comply with the increased work load the Department is requesting the addition of one Senior Employment Counselor, two Employment Counselors and one Senior Clerk typist; and

WHEREAS, the Department of Social Services will be fully reimbursed through newly awarded Federal funding allocated through New York State.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to create one Senior Employment Counselor, two Employment Counselors and one Senior Clerk typist in the Department of Social Services Comprehensive Employment Division effective August 1st 2016; and be it further

RESOLVED, the authorization is hereby provided to adjust the 2016 Budget of the Department of Social Services as follows:

Department of Social Services	
Fund 110 - Fund Center 120	
Revenue	Increase
Acct. 410120 Federal Aid - SNAP ET 100%	\$110,075
Expense	
Acct. 500000 Full Time Salary	\$ 67,947
Acct. 502000 Fringe Benefits	<u>42,128</u>
Total Expense	\$110,075
Net (Revenue less Expense)	0

and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, the Division of Budget and Management, the Office of the Comptroller and the Department of Social Services.

MR. LORIGO moved to amend the item. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

Amend Comm. 13E-44 (2016) to reflect the following:

Delete the First Resolved Clause and Replace with the Following:

RESOLVED, that authorization is hereby provided to create one Senior Employment Counselor (B100 #8714), two Employment Counselors (B100 #8715) and one Senior Clerk Typist (B100 #8717) in the Department of Social Services Comprehensive Employment Division effective August 1, 2016; and be it further

Add the following Resolved Clause:

RESOLVED, that the Erie County Legislature hereby authorizes the deletion of two vacant Senior Clerk Typists (Position Numbers 51008314 and 51008033), one vacant Social Welfare

Examiner (Position Number 51009793) and one vacant Clerk 55A (Position Number 51008033) as indicated on B100 8755; and be it further

MR. LORIGO moved to approve the item as amended. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 25 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 14-1 from CHAIR MILLS. Re: Selection of Firm to Conduct Annual Audit

MR. LORIGO moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 204

**A RESOLUTION TO BE
SUBMITTED BY CHAIR MILLS**

WHEREAS, the contract for the audit of Erie County expires with the completion of the audit for the fiscal year ended December 31, 2015; and

WHEREAS, the Audit Committee for Erie County prepared and forwarded requests for proposal (RFP) to national and regional certified public accounting firms requesting proposals for the audits of the County for fiscal years 2016 through 2018, with an option to continue in year 2019 and 2020; and

WHEREAS, the Audit Committee's RFP and evaluation of the responses was in full compliance with paragraph C. Section 1813 of the Erie County Charter; and

WHEREAS, the winning proposal is as follows:

For the Year Ended December 31	Audit of Financial Statements	Single Audit
2016	\$81,000	\$45,000
2017	\$82,500	\$46,000
2018	\$84,000	\$47,000

Prices of a "Due Diligence" letter will vary from \$2,500 through \$12,500; and

WHEREAS, that the independent accountant will audit the state required reports of the Mental Health and Health Departments at a per-report cost as follows:

For the Year Ended			
December 31	Mental Health	Health Department	Other Departments
2016	\$4,250	\$4,250	\$4,250
2017	\$4,350	\$4,350	\$4,350
2018	\$4,450	\$4,450	\$4,450

and

WHEREAS, the firm Drescher & Malecki LLP was the lowest responsible bidder; and

WHEREAS, the firm Drescher & Malecki LLP stated that they would change the lead auditor as needed, in order to offer a "fresh set of eyes" on the project; and

WHEREAS, the response from Drescher & Malecki LLP complied with all aspects of the Audit Committee's RFP.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract for the audit of Erie County's financial statements, to include the Federal Single Audit for fiscal years 2016 through 2018; and be it further

RESOLVED, that the contract for the audit of Erie County's financial statements shall be paid from the Comptroller's dues and fees account and will be negotiated to select the lowest possible cost for each audit each year; and be it further

RESOLVED, and that such fees will also apply in the event that New York State assigns special reporting requirements to other County Departments; and be it further

RESOLVED, that should the County wish to extend the contract through the years 2019 and 2020, the fees agreed are as follows:

For the Year Ended December 31	Audit of Financial Statements	Single Audit
2019	\$86,000	\$48,500
2020	\$87,700	\$49,500

Prices of a "Due Diligence" letter will vary from \$2,500 through \$12,500; and be it further

RESOLVED, that the independent accountant will audit the state required reports of the Mental Health and Health Departments at a per-report cost as follows:

For the Year Ended			
December 31	Mental Health	Health Department	Other Departments
2019	\$4,550	\$4,550	\$4,550
2020	\$4,650	\$4,650	\$4,650

and be it further

RESOLVED that certified copies of this resolution be provided to the County Executive, Budget Director, Comptroller and County Attorney.

Item 26 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 14-2 from LEGISLATORS MILLS, LORIGO, RATH, HARDWICK, DIXON & MORTON. Re: Appointments to the Erie County Citizen Budget Review Commission

MR. LORIGO moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 205

A RESOLUTION TO BE SUBMITTED BY LEGISLATORS
MILLS, LORIGO, RATH, HARDWICK, DIXON & MORTON

WHEREAS, the Erie County Legislature unanimously approved, and the County Executive signed, a local law introduction reinstating a Citizens' Budget Review Commission for the County; and

WHEREAS, the Commission shall assist and advise the Legislature in the oversight of the County's budget, and to monitor County finances, ensure the long-term fiscal stability of Erie County, prevent the concealment of County deficits, and to help provide the Legislature with enough time and information to respond to budgetary problems, according to their Charter mandate; and

WHEREAS, according to the provisions of Local Law No.2 of 2012, specifically Section 2618 (c) [Membership; Terms; Vacancies], specific categories of appointments shall be made on an annual basis, of members of the Commission; and

WHEREAS, following a general media outreach to solicit interest among Erie County residents to serve on this important policy panel, letters of interest were received for all membership categories.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Local Law No. 2 of 2012, the following individuals are hereby appointed by this Honorable Body to serve as members of the Erie County Citizens' Budget Review Commission, for a term that will expire on December 31, 2016:

Appointee:
Joseph Heins
372 Sprucewood Terr.
Williamsville, NY 14221

Membership Category:
Chairman Mills' recommendation

Edward Kumrow
31 Grant Rd.
Amherst, NY 14226

Majority Leader's recommendation

Michael J. Otto
39 Wynngate Ln.
Amherst, NY 14221

Minority Leader's recommendation

Joseph Winter, CPA
82 Howard Ln.
Tonawanda, NY 14150

Professional experience as a
Certified Public Accountant

Mark Davis, Esq.
28 Ganna Ct.
West Seneca, NY 14224

Licensed attorney with experience in
local government law

Jorge S. deRosas
77 Middlebury Rd.
Orchard Park, NY 14127

Represents a cross-section of the County's
diverse population and has a depth of
appropriate experience and expertise.

Joseph Hanna
Goldberg Segalla – Partner
665 Main St. – Suite 400
Buffalo, NY 14203

Represents a cross-section of the County's
diverse population and has a depth of
appropriate experience and expertise.

RESOLVED, that this Legislature declares that each appointee possesses strong personal and professional credentials for adding greatly to the Commission's important work; further ensuring fiscal stability of County government, adding additional checks and balances to the oversight of County finances, and increased budget monitoring and reporting; and be it further

RESOLVED, that certified copies of this resolution be conveyed to the County Executive, Erie County Fiscal Stability Authority, Comptroller, County Attorney, Budget Director, the Erie County Citizens' Budget Review Commission appointees at the addresses listed above, and all other parties deemed necessary and proper.

Item 27 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 14E-17 from LEGISLATOR LORIGO. Re: Letter to County Executive Regarding Candidate for Reappointment to the Advisory Commission on the Status of Women

Received and filed.

Item 28 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 14E-18 from CHAIR MILLS. Re: Letter Clerk of the Legislature Calling a Public Hearing Regarding LL Intro. 11-1 (2016)

Received, filed and printed.

July 28, 2016
Karen M. McCarthy, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Ms. McCarthy:

Please be advised that I want to call a Public Hearing to hear comment on Local Law Intro. 11-1(2016) A Local Law to Amend LL Intro. 2-4 (2016) A LL Preventing Head Trauma from Concussions in Youth Sports.

The Erie County Legislature is to hold a PUBLIC HEARING to consider the abovementioned at 12:30 p.m. on Wednesday, August 3, 2016 in the Erie County Legislature Chambers, located on the 4th floor of Old county Hall, 92 Franklin Street in the City of Buffalo.

Thank You for your attention to this matter.

Sincerely,
JOHN J. MILLS
John J. Mills, Chair
Erie County Legislature

Item 29 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 14D-4 from the CLERK OF THE LEGISLATURE. Re: NYS DEC Documents
Received

Received and filed.

Item 30 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 14D-5 from the CLERK OF THE LEGISLATURE. Re: Notice of Informational Meeting Regarding EC Water Authority and the July 20, 2016 Water Main Break

Received and filed.

Item 31 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 14D-6 from the CLERK OF THE LEGISLATURE. Re: Notice of Public Hearing Regarding LL Intro. 11-1 (2016)

Received and filed.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 32 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 206

RE: 2016 Highway Projects - Authorization
to Appropriate Funds and Enter Into
Contracts
(COMM. 14E-1)

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental and behavioral health services for the residents of Erie County; and

WHEREAS, 2016 budget appropriations were allocated to Housing Options Made Easy Inc. for the provision of Office of Mental Health and Department of Housing and Urban Development services; and

WHEREAS, the New York State Office of Mental Health (OMH) has informed the Erie County Department of Mental Health of a \$262,500 increase to its state aid for fiscal year 2016 (\$350,000 annualized), with a quick time frame requirement for implementing the associated behavioral health services; and

WHEREAS, in order to quickly implement these behavioral health services the Erie County Department of Mental Health recommends that the County immediately amend its contract with Housing Options Made Easy Inc. for the provision of the targeted behavioral health services; and

WHEREAS, no County funds will be necessary for Erie County to accept this state aid to serve individuals residing in Erie County; and

WHEREAS, \$262,500 in NYS OMH funding is being appropriated to Housing Options Made Easy Inc. for fiscal year 2016.

NOW, THEREFORE, BE IT

RESOLVED, that in order to implement behavioral health services to adults associated with the Buffalo Psychiatric Center (BPC) System Transformation Plan allowing for targeted reinvestment in Erie County's mental health system, the Department of Mental Health is authorized to immediately amend the agency contract of Housing Options Made Easy Inc.; and be it further

RESOLVED, that the County Executive is hereby authorized to accept the NYS OMH funding and amend the 2016 contract with Housing Options Made Easy Inc. on or around July 22, 2016; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to process the following budgetary adjustment:

2016 BUDGET - Mental Health, Business Area 124
Cost Center 1241020, Fund 110

Revenue		Increase
406830	State Aid	\$262,500
Expense		Increase
517665	Housing Options OMH	\$262,500

and be it further

RESOLVED, that certified copies of this resolution be furnished to the Office of the County Executive, the Department of Mental Health, the Office of the Comptroller, and the Division of Budget and Management.

Item 33 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 207

RE: Department of Senior Services –
Overnight Respite Program
(COMM. 14E-2)

WHEREAS, the Department of Senior Services continually looks to enhance services to help seniors remain in their homes longer; and

WHEREAS, the Department wishes to reduce long-term care costs by providing services to reduce or delay long-term admissions to facilities; and

WHEREAS, caregiver burnout contributes to premature placement into long-term care settings; and

WHEREAS, overnight respite programs provide a safe, and supervised environment for memory impaired adults and other physically disabled seniors unable to take care of themselves, thereby allowing their family caregivers temporary relief; and

WHEREAS, the Department desires to offer immediate respite at NY State Department of Health (NYSDOH) licensed Long-Term Care Facilities in the Western New York region to eligible caregivers; and

WHEREAS, the Department aims to provide respite flexibility to caregivers based on urgency, location and availability; and

WHEREAS, there are at least 36 Long-Term Care facilities in the WNY region; and

WHEREAS, contracting with individual facilities on a case by case basis is not an effective respite solution; and

WHEREAS, the Department wishes to have the ability to directly pay the Long-Term Care Facility of choice quickly and without an individual contract; and

WHEREAS, each Long-Term Care Facility has the ability to set its own rate for overnight respite care based on the market for such services; and

WHEREAS, the Department will pay no more than \$400 per day for overnight respite services; and

WHEREAS, budgetary appropriations are available in the 2016 calendar year 163ADCSI2016 and 163III-E2016 grant's Professional Services Contracts and Fees accounts to pay for overnight respite services for eligible seniors.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby waives the procedures, as impractical, provided for in Section 19.08 of the Erie County Administrative Code for purposes of providing payment to NYSDOH licensed Long-Term Care Facilities in Western New York to be retained to provide short term and overnight respite services associated with caregivers in need; and be it further

RESOLVED, the Department is authorized to utilize the county's direct pay process to compensate the caregiver chosen NYSDOH licensed Long-Term Care facility at a rate not to exceed \$400 per day for overnight respite services and upon such terms and conditions provided by the Department; and be it further

RESOLVED, that budgetary appropriations in the 2016 calendar 163ADCSI2016 and 163III-E2016 grant's Professional Services Contracts and Fees accounts be utilized to pay for the overnight respite services; and be it further

Change Order
(COMM. 14E-4)

WHEREAS, the Lake Avenue reconstruction Project (the "Project") contract was awarded between Accadia Site Contracting, Inc., the responsible low bidder, and the County of Erie, on April 23, 2015, Communication 7E-5.; and

WHEREAS, the funds for the Lake Avenue Reconstruction Project were allocated from the SAP Fund 420, BA123, Project B.15019 2015 Capital Overlay Program in a not to exceed amount of \$3,000,000.00; and

WHEREAS, The Contractor encountered numerous unanticipated items and resident concerns along with a major issue with the slag sub-base that was very difficult to break up and excavate; and,

WHEREAS, this excavation required additional labor effort by the Contractor along with a time extension to complete the excavation; and

WHEREAS, with this additional required work, the inspection staff was engaged for a longer period.

NOW, THEREFORE, BE IT

RESOLVED, that the Change Order funds for the Lake Avenue Reconstruction Project be allocated from the SAP Fund 420, BA123, Project B.15019 2015 Capital Overlay Program in an amount of \$547,470.10; and be it further

RESOLVED, that the County Executive be authorized to execute Change Orders for the Lake Avenue Reconstruction Project Number CAP-200-15, with the contractor, Accadia Site Contracting, Inc. in the amount of \$539,470.10, project engineers Clark Patterson Lee in the amount of \$8,000.00; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

FROM THE SHERIFF

Item 36 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 210

RE: Award Professional Services to Produce
Human Trafficking Public Service
Announcements
(COMM. 14E-5)

WHEREAS, human trafficking activities are on the rise in the United State and in Western New York; and

WHEREAS, the federal government has awarded the Western District of New York Human Trafficking Task Force two sizable grants the past few years; and

WHEREAS, the Erie County Sheriff's Office has been designated the local law enforcement agency to head the task force and to administer the grant; and

WHEREAS, one requirement of the human trafficking grant is for the production and broadcasting of public service announcements raising the public's awareness of this issue via television and radio stations broadcast; and

WHEREAS, the sheriff's office worked with the Purchasing Department to develop and publish a Request for Proposal for professional services to produce PSAs; and

WHEREAS, the sheriff's office followed and met all requirements for the RFP, its distribution, evaluation and selection processes; and

WHEREAS, upon receipt of all qualified proposals, the evaluation of each bidder to meet the county's bidding requirements, and scoring of all received proposals the WDNY Human Trafficking Task Force has selected TVRE Productions Inc.; and

WHEREAS, the Purchasing Department has also evaluated the task force's procedures and concurs to the selection of TVRE; and

WHEREAS, TVRE Production Inc.'s proposal was \$2,600.00 which included production makeup, audio, and addition of stock footage.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office is authorized to award RFP #1629VF to TVRE Productions Inc. for professionals services to produce public service announcements for the Western District of New York Human Trafficking Task Force; and be it further

RESOLVED, that the Erie County Sheriff's Office and the County Executive are hereby authorized to enter into an agreement with TVRE Productions Inc. for delivery of service outlined in the proposal and the agreement will not exceed \$2,600.00; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, that certified copies be forwarded to the Division of Budget and Management, the Erie County Comptroller, the Purchasing Department and the Erie County Sheriff's Office for implementation.

Item 37 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 211

RE: Authorization for an Addendum to a Current Department of Mental Health Behavioral Health Services Contract (COMM. 14E-6)

WHEREAS, the Erie County Sheriff's Office expresses its desire to hire the best available candidate for its Deputy Sheriff positions; and

WHEREAS, an important aspect of the employee evaluation process is the determination by a trained professional as to the physical and mental health of an employee candidate; and

WHEREAS, the Department of Mental Health currently has a contract with University Psychiatric Practice, Inc. to provide behavioral health services to the County of Erie; and

WHEREAS, the Erie County Sheriff's Office needs the Legislature's approval to amend the current contract and add the Erie County Sheriff's Office to the existing contract; and

WHEREAS, the proposed addendum will not extend the term of the current contract between the parties beyond the original expiration date of December 31, 2016; and

WHEREAS, the addendum is not to exceed \$300 per evaluation or \$15,000.00; and

WHEREAS, authorization will provide an immediate and efficient transition for the Erie County Sheriff to begin evaluating Deputy Sheriff candidates.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office and the County Executive are hereby authorized to amend the current contract with University Psychiatric Practice, Inc. to add the Erie County Sheriff's Office to the contract for employee candidate evaluations; and be it further

RESOLVED, that the amendment is not meant to extend the current contract between the parties beyond its current expiration date of December 31, 2016; and be it further

RESOLVED, that the addendum is not to exceed \$300/evaluation or \$15,000.00 and funds are available in the sheriff's office budget Professional Services and Fees account; and be it further

RESOLVED, that all payments will be paid from budget account #516020- Professional Services and Fees; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, that the Clerk of the Legislature send certified copies to the Division of Budget and Management, the County Executive, the Erie County Comptroller, the County Attorney's Office, and the Chief of Administration of the Sheriff Office for implementation.

FROM CHAIR MILLS

Item 38 – (COMM. 14E-7) Letter to County Executive Regarding a Letter of Interest in Serving on the ECIDA Board of Directors

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 39 – (COMM. 14E-8) Approval of LL Intro. 2-4 (2016) and Proposed Amended Local Law

Received and filed.

FROM LEGISLATOR BURKE

Item 40 – (COMM. 14E-9) Letter to Chair Mills Regarding Request for Public Hearing Concerning EC Water Authority

Received and filed.

FROM THE COUNTY EXECUTIVE

Item 41 – (COMM. 14E-10) EC Sewer District No. 3 - Close Out of Contract No. 37 STP-B, HVAC

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 42 – (COMM. 14E-11) Locally Administered Federal Aid Project - NYSDOT Agreement and Construction Award for Bridge Steel Deck Repairs, Various Towns

Item 43 – (COMM. 14E-12) Locally Administered Federal Aid Project - NYSDOT Agreement and Construction Award for Bridge Painting and Repairs, Towns of Alden, Boston & Collins

Item 44 – (COMM. 14E-13) EC Soil & Water Conservation District Agreement - Technical Services and Stream Bank Maintenance, Bridge & Culvert Scour Maintenance Program

Item 45 – (COMM. 14E-14) Initiatives for a Smart Economy - 2016 Biannual Report

The above four items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 46 – (COMM. 14E-15) Department of Social Services - Lease for Property 10-12 Fountain Plaza

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 47 – (COMM. 14E-16) Initiatives for a Stronger Community - 2016 Q1 & Q2 Biannual Reports

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE CLERK OF THE LEGISLATURE

Item 48 – (COMM. 14D-1) Notice of Informational Meeting Regarding EC 911 Emergency System Failure and Backup Plan Issues

Item 49 – (COMM. 14D-2) NYS DEC Documents Received

The above two items were received and filed.

FROM THE COUNTY ATTORNEY

Item 50 – (COMM. 14D-3) Notice of Public Hearing Regarding LL Intro. 9-1 (2016)

Received and filed.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE EC AUDIT COMMITTEE

Item 51 – MR. LORIGO presented the following item and moved for consideration. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RE: Report of the EC Audit Committee on the Request for Proposal Process to Select and Contract with an Independent External County Auditor (COMM. 14M-1)

MR. LORIGO moved to amend the item with the text of the report. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to receive and file the item as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

FROM ERIE COMMUNITY COLLEGE

Item 52 – (COMM. 14M-2) Board of Trustees: Election of Officers

Received and filed.

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 53 – (COMM. 14M-3) 2014-2015 Annual Report of the Director

Received and filed.

FROM THE LEGAL AID BUREAU OF BUFFALO

Item 54 – (COMM. 14M-4) Letter Regarding Submission of 2015 Financial Statements and Board of Directors Meeting Minutes

Received and filed.

FROM THE NYS COMPTROLLER

Item 55 – (COMM. 14M-5) Letter of Receipt of EC Corrective Action Plan Regarding Ignition Interlock Program Monitoring

Received and filed.

FROM THE US DEPARTMENT OF HOMELAND SECURITY

Item 56 – (COMM. 14M-6) Letter Regarding Firemen's Association of the State of New York State Inc Financial Assistance Application

Received and filed.

FROM GEORGE B. ALEXANDER

Item 57 – (COMM. 14M-7) Letter Regarding Interest in Appointment as Commissioner of Central Police Services

Received and filed.

FROM THE BUFFALO COMMON COUNCIL

Item 58 – (COMM. 14M-8) Letter Regarding Rural Metro Talking Points

Received and filed.

ANNOUNCEMENTS

Item 59 – CHAIR MILLS announced a public hearing regarding LL Intro. 11-1 (2016) A LL to Amend LL Intro. 2-4 (2016): A LL Preventing Head Trauma from Concussions in Youth Sports is scheduled for August 3, 2016 at 12:30 p.m. in the Legislature Chambers.

Item 60 – CHAIR MILLS announced an informational meeting with EC Water Authority regarding the July 20, 2016 Water Main Break is scheduled for August 3, 2016 at 1:00 p.m. in the Legislature Chambers.

Item 61 – CHAIR MILLS announced the next regularly scheduled legislative session is September 1, 2016.

MEMORIAL RESOLUTIONS

Item 62 – Legislator Mills requested that when the Legislature adjourns, it do so in memory of Gail L. Cherry.

Item 63 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Marsha B. Sherris.

ADJOURNMENT

Item 64 - At this time, there being no further business to transact, CHAIR MILLS announced that the Chair would entertain a Motion to Adjourn.

MR. LORIGO moved that the Legislature adjourn until Thursday, September 1, 2016 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, September 1, 2016 at 2:00 p.m. Eastern Standard Time.

KAREN M. McCARTHY
CLERK OF THE LEGISLATURE